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Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Tuesday, January 2, 1979

No. 1

Municipal Record

ONE HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, PA

Tuesday, January 2, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2460 Resolution providing for ac-

cepting a grant from the Sears-Roebuck Foundation in the amount of Three Thousand (\$3,000.00) for operation of "Officer Friendly Program" to be conducted by the Community Relations Section of the Department of Police; providing for the creating of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2461 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection and design of Baum Boulevard Bridge, PW 78-09 and PW 76-39, and providing for the payment of costs thereof

Also

No. 2462 Resolution amending Resolution No. 1288, approved November 17, 1978, effective November 24, 1978, entitled "Resolution providing for an Agreement or Agreements with BKI Associates, Inc., 9528 Rockport Road, Vienna, Virginia 22180 for professional traffic planning and engineering services in connection with improvements in the East Liberty Mall area and providing for the payment of the cost thereof"; by correcting the title and the source of funding.

Also

No. 2463 Resolution further amending Exhibit I of Resolution No. 675 approved 8-16-76, as amended by Resolution No. 747, approved 8-16-77, as amended by Resolution No. 1020, effective 10-27-77, as amended by

Resolution No. 4, effective 1-31-78, as amended by Resolution No. 725, effective 6-30-78, as amended by Resolution No. 827, effective 8-3-78, as amended by Resolution No. 1333, effective 11-30-78, entitled: "A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account," by reallocating funds and creating two additional projects.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2464 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 6 by changing from "C3" Commercial District to "M4" Heavy Industrial District all that certain property bounded by: Beaver Avenue; North Franklin Street; Metropolitan Street and Columbus Avenue, 21st Ward

Also

No. 2465 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 6 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: Perrysville Avenue; Burgess Street; Maywood Street and Lots Numbered 145 and 130, Block 46-F in the Allegheny County Block and Lot System, 26th Ward.

Also

No. 2466 Resolution approving a Con-

ditional Use under Section 2801-1-A (33) of the Zoning Ordinance No. 192, approved May 10, 1958, as amended, to Mellon-Stuart Realty Company for construction of a basement and ten story high-rise, 104 unit housing for the elderly facility located at the northwest corner of Perrysville Avenue and Burgess Street, being Lot Numbered 136, Block 46-F, in the Allegheny County Block and Lot System, 26th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson presented

No. 2467 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Aerial Bucket Truck for the Bureau of Automotive Equipment, Department of Supplies and for the payment thereof

Which was read and referred to the Committee on Supplies.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, I was contacted today by Mr. Vincent O'Brien of the AFSCME Union, and I believe he tried to reach and may have reached all of the other members. I don't know who he did reach and I don't want to be incorrect, he is sending all of us Mailgrams, I was in early and perhaps that is why he reached me. He asked me to bring to the attention of Council that the veto on Sunday night, in effect, appears to be giving the five job title increases above and beyond the Collective Bargaining Agreement, those are the five that the Mayor had vetoed. Certainly he feels contradictory to the Collective Bargaining process and the total concept of organized labor.

Mr. O'Brien has informed me that AFSCME feels that if this is not corrected by Council, and I guess that the appropriate time would be when we consider corrections and amendments to the Budget, that AFSCME will begin unfair labor practices proceedings against the city.

The Chair:

Well, we have thirty days to act, Mr. Stone . . .

Mr. Stone:

Mr. President, I don't think there is any fear of that, some of those that were introduced were not solely from Council. What we did was approve it to find out where it was, we will have time now to find those whom are under Collective Bargaining. That will be corrected. No problem.

Michelle Madoff:

Thank you.

MOTIONS AND RESOLUTIONS

Mr. Robinson moved to excuse Mr. Givens for absence from this meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, December 18, 1978.

Mr. Robinson seconded the motion.

And on motion of Mr. Stone

Council adjourned

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, January 8, 1979

No. 2

Municipal Record

ONE HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, PA

Tuesday, January 8, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasqual-
	(Pres't)

ABSENT

Mr. Lally

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Our first order of business will be to present a resolution to Dr. Simon, would Mr. Bulls and Michelle Madoff please escort the Mayor into the meeting?

I would like to introduce the Mayor to present this resolution to Dr. Simon. Mayor.

Mayor Caligulri:

Dr. Simon, Mr. President, Members of City Council and friends...if I may read this resolution.

WHEREAS, on October 16, 1978, Dr. Herbert A. Simon, a professor at Carnegie Mellon University for 29 years, received the coveted Nobel Prize for economics, and

WHEREAS, the Academy singled out Simon's 20 years of outstanding research toward understanding the problems of decision-making economics, and

WHEREAS, for 29 years Dr. Simon has directly influenced thousands of Pittsburgh students and citizens and has been cited as being the one man in the world who comes closest to the ideal of being an Aristotle or a Renaissance man and

WHEREAS, Dr. Simon has expressed his desire to remain in our City and continue his world renowned work in the development of theory on economics decision-making and psychological research into human thinking.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh hereby recognize and honor Dr. Simon's outstanding achievement in the field of economics and extend our congratulations to him on his receipt of the coveted Nobel Prize and furthering the development of Pittsburgh as one of the foremost cultural and academic centers in the United States.

Dr. Simon...if I may, Members of Council, Dr. Simon would like to say a few words.

Dr. Simon:

Well, I think that several clauses of the resolution says most of what I would say. I've been a Pittsburgher for 29 years now, that's almost long enough to make me a native, not quite, but almost half of my life. And I've found here a very challenging and very stimulating environment for doing my work, the city government here is certainly a central part of what makes this city a productive place for us and a pleasant place to live. I might just add as a personal note, that my own career began in the field of city government. My first job was with the International City Management Association in Chicago. So, when you people worry about how you are going to make ends meet here in the City of Pittsburgh, I can at least from some dim recollections of 40 years ago, I can at least sympathize with you as to what some of the problems are. I can't solve them for you...that's your job, not mine.

I thank you very much for your very kind thoughts on this occasion.

Thank you.

Mayor Caligiuri:

Dr. Simon, we are so grateful to have you in the City of Pittsburgh, and certainly it is a thrill for all of us that such a distinguished person like yourself has received the Nobel Prize for economics. And, again, the fact that you are a Pittsburgher and we hope you would remain here, the Renaissance, as I've said so often, and as the Members of Council have indicated is more than just bricks and mortar, it is people like yourself that make Pittsburgh such a fine city, and we're just thrilled, all of us here that you are a part of our city. We want to thank you once again.

The Chair:

I would just like to add to the words of the Mayor, it is certainly a great honor, it is something that only comes along maybe once in the history of a city. I can't recall of anybody except perhaps outside of maybe Dr. Salk who has ever received a Nobel Peace Prize of any worth here in the city of Pittsburgh. So, Dr. Simon, it has been a

great achievement, it is a great honor for you and also for the City of Pittsburgh. Thank you very much.

After that great honor we will have to get on with our business of the day.

PRESENTATIONS

Mr. Coyne presented

No. 2468 Resolution providing for issuance of \$107,224.25 warrant in connection with Declaration of Taking in Eminent Domain proceedings of certain property for public sewer purposes; and providing for the payment thereof.

Also

No. 2469 Resolution further amending Ordinance No 629, effective December 10, 1973, as amended by Resolution No. 559, effective May 30, 1978, entitled: "Transferring \$643,031.40 from various Department of Public Works' Bond Funds and \$24,047.00 from the department of Water's Bond Fund No. 227 to TOPICS Trust Fund of which \$346,745.00 is subject to reimbursement to the Department of Public Works Bond Fund No. 225 upon receipt of Grant Funds from the Commonwealth of Pennsylvania, Department of Transportation", by reducing the funds for the Department of Public Works from \$643,031.40 to \$533,031.40.

Which were read and referred to the Committee on Finance.

Mr. Givens presented

No. 2470 An Ordinance implementing Community Advisory Boards in District No. 5 and providing for the organization thereof.

Also

No. 2471 An Ordinance implementing Community Advisory Boards in District No. 15 and providing for the organization thereof.

Also

No. 2472 An Ordinance implementing Community Advisory Boards in District No. 16 and providing for the organization thereof.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Givens:

Mr. President, since February 13th is the last day for the City Clerk to submit the election ballots from the Department of Elections, I move that a public hearing be held on the implementation of the Community Advisory Boards in Districts 5, 15, and 16 as soon as possible in order that the communities involved have an opportunity to express their views as to the breakdowns of their particular districts. We are talking about Mt. Washington, Allentown and the 7th Ward, Shadyside area of the City of Pittsburgh.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Givens for Mr. Lally presented

No. 2473 Resolution repealing Resolution 361, approved 6/1/76, for the sale of property in the 19th Ward being a vacant lot on Plymouth Street, Block 6-R, Lot 295, to Richard J. Fisher for the sum of \$2,000.00. Hand money of \$200.00 shall be forfeited as purchaser has failed to comply with agreement of sale.

Also

No. 2474 Resolution authorizing the sale of property in the 13th Ward being a 2 story brick cottage on 7227 Upland Street and a lot on Stranahan Avenue being of size 25 x 88.54, designated as Block 174-B, Lot 71, to Michael W. Rollins, for the sum of \$3,000.00.

Also

No. 2475 Resolution authorizing the sale of property in the 17th Ward being a vacant lot on Hartford Street to Edward F. Jacob, Jr. for the sum of \$1000.00. Block 3-R, Lot 111 - 65 x 120.

Also

No. 2476 Resolution authorizing the sale of property in the 18th Ward being a vacant lot on 129 Beltzhoover Avenue To Dennis

Jenkins Sr. and Peter S. Hansen, Joint Tenants with Rights of Survivorship, but not as tenants in common for the sum of \$400.00. Block 14-E, Lot 163, 24.5x106.

Also

No. 2477 Resolution authorizing the sale of property in the 19th Ward being a vacant lot on Edith Street for the sum of \$600.00 to Tony Naccarelli, Jr. Block 6-K, Lot 363 - Lot 30 x 100.

Also

No. 2478 Resolution authorizing the sale of property in the 20th ward being vacant lots on Rochelle Street at Hunt Street to John Philips and Denise A. Phillips, his wife, for the sum of \$350.00. Block 31-P, Lot 186, 50 x 77, Block 21-P, Lot 190, 25 x 100.

Also

No. 2479 Resolution authorizing the sale of property in the 24th Ward being vacant lots in the rear of High Street for the sum of \$300.00, to Carl J. Beeson and Anna M. Beeson, his wife, Block 47-S, Lot 7A, 22 x avg. 108.02 x 20, Block 47-S, Lot 8, 22 x 108 x 20.

Also

No. 2480 Resolution authorizing the sale of property in the 26th Ward being a 2 story brick house on 419 Hawkins Street, Block 76-S, Lot 86, to Richard H. Tanner, for the sum of \$750.00

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2481 Communication from John C. Miller, Director of the Department of Water, requesting interim approval of payment of \$4,857.00 for extra work in connection with water line installation, Centre Avenue from Kirkpatrick to Crawford Streets, Controller's Contract No. 22548-F.

Also

No. 2482 Communication from John C. Miller, Director of the Department of Water,

requesting interim approval of payment of \$1,590.00 for extra work in connection with rehabilitation of boilers at Ross Pumping Station, Controller's Contract No. 23028.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No 2483 Resolution authorizing the issuance of a warrant in favor of Carl J. Bonidie, Inc., in the amount of \$3,418.25 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 2484 Resolution authorizing the issuance of a warrant in favor of North American Fencing Corp. in the amount of \$585.00 in payment for work performed at Allegheny Commons Tennis Courts, Furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Also

No. 2485 Resolution authorizing the issuance of a warrant in favor of Terry Electric, Inc., in the amount of \$3,123.50 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No 2486 Resolution authorizing issuance of a warrant in favor of Independent Enterprises, Inc., in the amount of \$8,484.00 in payment for work performed at Riverview Park Sewer furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 2487 Resolution authorizing issuance of a warrant in favor of Triangle Construction Company in the amount of \$1,669.25 in payment for work performed at Schenley Park Golf Clubhouse, furnished for the

benefit of the City without previous authority of law; and providing for payment thereof.

Also

No. 2488 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$3,281.73 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 2489 Resolution authorizing issuance of a warrant in favor of Ram Construction Company in the amount of \$1,385.00 in payment for work performed at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the committee on Finance.

Also

No. 2490 Resolution amending Resolution No. 1416, effective December 19, 1978, entitled: "Providing for a contract or contracts or the use of existing contracts for the construction of a new swimming pool and recreational complex at Broadhead-Fording and Village Roads, 28th Ward, and providing for the payment of the cost thereof" by increasing the authorization.

Also

No. 2491 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the construction of an addition to a multi-service building at 930 Cresswell and of an adjacent playground to serve the St. Clair Village; and providing for the payment thereof.

Also

No. 2492 Resolution amending Resolution No. 43, effective February 10, 1976, as amended by Resolution No. 45 of 1976, Resolution 586 of 1976 and Resolution No. 633 of 1976, entitled: "Providing for the

establishment of program categories for the 1975 Community Development Block Grant Program Trust Fund, and the Model Cities Program Trust Fund, and for payment therefrom" by transferring \$60,000.00 from the Department of Parks and Recreation to the Department of Lands and Buildings.

Also

No 2493 Resolution repealing Resolution No. 718, effective October 1, 1976, entitled: "Authorizing the letting of a contract or contracts or use of existing contracts for the renovation of the Sheraden Recreation Building, 20th Ward, in the Department of Parks and Recreation at a cost not to exceed \$60,000.00.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2494 Resolution providing for an Agreement or Agreements with Carnegie Mellon University for reimbursement by the University of the cost of conversion of street lighting on Morewood Avenue between Fifth Avenue and Forbes Avenue.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2495 Resolution amending Resolution No. 1401, approved December 14, 1978 effective December 19, 1978, entitled "Providing for the issuance of a warrant to Joseph W. Fritz and Catherine Fritz, his wife in the amount of \$5,500.00 in full settlement of lawsuit for personal injury and providing for the payment thereof."

Also

No. 2496 Resolution providing for an Agreement or Agreements with Ernst & Ernst, 2000 Pittsburgh National Bank Building, Fifth Avenue and Wood Street, Pittsburgh, Pennsylvania 15222, for professional auditing services in connection with the Local Public Works Program; and providing for the payment of the cost thereof.

Also

No 2497 Resolution amending a portion of Resolution No. 1245 approved October 23, 1978, entitled "A Resolution amending Resolution No. 804, approved August 15, 1977, entitled 'A Resolution providing for an Agreement or Agreements with the School District of the City of Pittsburgh for the implementation of the Comprehensive Employment and Training Act Title II as amended, and providing for the payment of the cost thereof.'"

Also

No. 2498 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Maureen Morrissey to attend Department of Labor meeting in relation to job creation for Employment Opportunities Pilot Program, Washington DC, January 9-10, 1979, at cost not to exceed \$275.00, payable from CETA Trust Fund.

Also

No. 2499 Communication from Kenneth Fields, Budget and Research Officer submitting the collective bargaining agreement between the city of Pittsburgh and the Fraternal Association of Professional Paramedics. Effective January 1, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2500

Report of the Committee on Finance for January 2, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2436

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of

Joseph B. Fay Company in the amount of \$83,168.70 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, : "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2439

A Resolution entitled, "Resolution providing for an agreement or agreements with Urban Redevelopment Authority of the City of Pittsburgh for the use of data processing services of the City of Pittsburgh by said Authority, and providing for payment by said Authority to City for such services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, : "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 2501

Report of the Committee on Planning, Housing and Development for January 2, 1979 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed. Also with an affirmative recommendation.

Bill No. 1967

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 8 by changing from "S" Special District to "R1" One-Family Residence District all that certain property bounded by: the "R1" One-Family Residence District west of Carnahan Road and north or Banksville Road; Lots numbered 81 and 80-A, Block 36-L in the Allegheny County Block and Lot System, 20th Ward."

Which was read.

Also,

Bill No. 2425

A Resolution entitled, "Resolution approving a Conditional Use under Section 2801-1-A-(10) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to Rev. Leroy Robinson for authority to convert the

existing structure located at 541 Paulson Avenue into a residence for senior citizens on property zoned "R4" Multiple-Family Residence District fronting on Paulson Avenue and Maxwell Way, identified as Lot Numbered 21, Block 124-P in the Allegheny County Block and Lot System, 12th Ward."

Which was read.

Mr. Robinson:

I would just like to make mention that the Rev. Leroy Robinson is not my uncle.

The Chair:

I would like to mention that he is not my uncle either.

Also,

Bill No. 2426

A Resolution entitled, "Resolution approving a Conditional Use under Section 2801-1-A-(27) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to William Damico, trading as Cliffside Cafe for expansion of the existing first floor restaurant by converting the second floor residential use to additional dining area for the restaurant, on property known as 1208 Grandview Avenue, zoned "S-A" Special District, Class "A identified as Lot Numbered 6, Block 6-M in the Allegheny County Block and Lot System, 19th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 2502

Report of the Committee on Supplies for January 2, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1076

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the maintenance, rental, inspection or servicing of personal property owned by the City of Pittsburgh and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh during the calendar year of 1979, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2438

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Checksigner for the Department of Supplies, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Ayes 8

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2503

Report of the Committee on Parks and Recreation for January 2, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2437

A Resolution entitled, "Resolution providing for an agreement or agreements with the Allegheny County Institution District for payment and reimbursements to the City by the Allegheny County Institution District for renovation of Senior Citizen Centers."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Ayes 8

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Noes none

And the majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2504

Report of the Committee on Lands and Buildings for January 2, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2398

Resolution authorizing the sale of property in the 29th Ward being vacant lots on Biscayne Drive, corner Nice Way, Block 95-S, Lot 240, to Robert Kesten for the sum of \$4,500.00. 1 lot 45.99 x 120 x 30.64, 2 lots 40 x 120 each.

Which was read.

Also,

Bill No. 2428

A Resolution entitled, "Resolution amending Resolution No. 1410, approved December 14, 1978, entitled, 'Resolution providing for a supplemental agreement with Westinghouse Broadcasting Company, Inc., in connection with its broadcasting tower and appurtenances, amending the agreement between the parties dated June 27, 1955, extending the term and increasing the annual rental' by clarifying Section 2 thereof to require major changes in the tower and equipment of the transmitter site."

Which was read.

Also,

Bill No. 2429

Resolution authorizing the sale of property in the 3rd Ward being a vacant lot on Overhill Street (now Heldman), Block 11-A, Lot 46, to Blossie L. Treadwill for the sum of \$600.00. Lot size 30 x 100.

Which was read.

Also,

Bill No. 2430

Resolution authorizing the sale of property in the 10th Ward being a 2-1/2 story frame house on #6636 Butler Street to Paul William Brozenich for the sum of \$3,200.00, Block 121-A, Lot 43.

Which was read.

Also,

Bill No. 2431

Resolution authorizing the sale of property in the 14th Ward being a vacant lot on Murray Avenue near Saline Street, Block 87-K, Lot 57, to Edward M. Goldston, for the sum of \$1,000.00. Lot size 35 x avg. 114.85 x 36.33.

Which was read.

Also,

Bill No. 2432

Resolution authorizing the sale of property in the 16th Ward being a vacant lot on Mission Street, Block 13-D, Lot 85, to Ignatius B. Solarczyk and Janet C. Solarczyk, his wife, for the sum of \$150.00.

Which was read.

Also,

Bill No. 2433

Resolution authorizing the sale of property in the 19th Ward being vacant land on Sweetbriar Street, corner of Virginia and Meta Streets, Block 5-C, Lots 208, 210 and 212, to Kenneth W. Creech and Marlene R. Creech, his wife, for the sum of \$1,400.00. Lot 208 - 60 x 100, Lot 210 - 40 x 100, Lot 212 - 40 x 100.

Which was read.

Also,

Bill No. 2434

Resolution authorizing the sale of property in the 20th Ward being vacant lots on Lakewood Avenue to Mary St. Block 20-L, Lot 42, to

Frank J. Ejzak and David Szczypinski, a partnership, for the sum of \$2,000.00. 5 lots 25 x 100 each.

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

Mr. President, as you know, I have been requesting that Mr. West, Mr. Valaw, whoever is responsible would give us a little more information. I was told we would be getting the addresses in the future, as a matter of fact, they were to start this week, I presume they haven't because Mr. West is ill. But I wonder if whoever is issuing these, if Mr. West is ill, perhaps Mr. Evers is issuing them...would start to give us some addresses.

I talked to an architect and he told me that architects are about the only ones who can read the blueprints and go out on the lots and find these properties in these instances.

The Chair:

The Clerk is so ordered.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presented

No. 2505

RESOLUTION urging the General Assembly to immediately consider legislation to legalize studded snow tires in Pennsylvania.

WHEREAS, all drivers and vehicle passengers who travel the roads of the Pittsburgh Metropolitan Area subject to the harsh and treacherous winters of Western Pennsylvania; and

WHEREAS, we experience some of the most adverse climatic conditions in the country with an average of sixty (60) freezes and thaws a year; and

WHEREAS, the General Assembly has before it legislation which would legalize the use of studded tires to combat the ice and snow that sheets our Pennsylvania roads throughout the winter months; and

WHEREAS, we are presently experiencing these hazardous driving conditions with the recent wave of severe weather.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh in the interests of the public safety, urges the General Assembly to immediately consider studded tire legislation upon reconvening so as to safeguard the roads in Pennsylvania with the additional protection provided by studded tires.

Which was read.

Mr. Givens moved for adoption.

Mr. Bulls seconded the motion.

Michelle Madoff:

I happened to read the letter to the Editor that pointed out that if we had chains, it might be a better solution, and they can be removed so that they don't do the damage

that studded tires would do. Maybe we ought to be pushing for that as opposed to pushing to have studded tires put back on.

Mr. Coyne:

Mr. President, I also am not totally convinced that what we need in the City is studded snow tires. I think that we are able to get around or at least I find I am able to get around without studded snow tires, and just on the radial tires that seem to be now very adequate.

I don't have anything additional to say, except to indicate that I don't think this is something that I would want to vote in favor of at this time, and I would vote against it.

Mr. Givens:

Mr. President, this is a very serious issue here, the safety of the citizens of the City of Pittsburgh. Getting around is one thing, but one thing studded tires do for people if they are controlling their vehicle properly, is to give them shorter stopping distances, and the controllability of their vehicle, especially during ice, not snow. And, I think from the upper part of our state, from Lake Erie all the way down including the mountain ranges until you hit the other side of the Appalachian Mountains, you will feel that I am sure, all of the legislators would be innovated by their constituents to ask for studded tires. The snow tire cannot replace the studded tire, the studded tire is primarily to be used on ice surfaces.

I personally have experience within this city for the last couple years that we have had these tremendous snow and ice storms, etc., that without studded tires, I would probably have been involved in many serious accidents. I think that the people who have to go out in this type of weather all of the time and are subject to these 60 thaws and freezes that we have, we have the worst climatic condition throughout the country. I don't think in all my experiences, and in what I have read on the issues, they wonder why our roads break up here in the City of Pittsburgh and surrounding Allegheny County, and you can go for example into Canada the main reason, I think Mr. President, working in that particular field are the freezes and the thaws that we have. That indicates to us that we

have ice on our roads...when you get up into the northern counties for almost six months into the year in some cases. It is very dangerous.

I had an episode, if you want to personalize something, which I don't like to do, but just the other day, coming off of Garfield hill where I knew it was an icy condition, where I had been before, was able to control my vehicle by putting it into reverse and gently coming down the road, in trying to apply the brake, you would immediately go into a skid, but by using a little bit of gas, was able to control the vehicle. I had two occasions within the last two weeks where I had two occasions within the last two weeks where I has lost control of my vehicle and went into an ensuing traffic lane against a red light, I tried to do everything in my means to stop it from happening. . . there is not much you can lo.

This is why I put this resolution, only recommending to the State Legislators to look at this thing once again. You know, it passed the Senate by an overwhelming majority. The Governor then said he was going to veto it, and even if it was passed, that it would go without his signature, otherwise it would not come into law again until the Legislators would meet this coming January 19th. All I am asking this Council body to do is ask our Legislators, it is not within our purview, but I think it is within our purview to at least ask them to look into it to establish the studded tires. I would even accomodate a letter with that indicating maybe to shorten down the season that we can use studded tires on our particular highways, if in fact they feel it is doing some type of damage. I think as long as there is a coat of ice on there that it is not doing any damage whatsoever.

The fear that I have, and I know our emergency vehicles have it, and I know that you can get around it, when there is snow on the ground, with good snow tires, in fact, sometimes, as Bill Coyne indicated, with the radial type tires that have the M marking on them, mud and snow, whatever you want to call them. I have used that technique, I have taken air out of my tires to do the same thing, which give you very good traction in the winter season.

This thing has gotten to such a magnitude that one only has to get on the radio and listen to the 15 or 20 car pileups and all of this may be because a person cannot stop on ice. A snow tire gives you less, I repeat, less traction than a regular radial tire or a regular tire when it comes down to stopping on ice.

The Chair:

If I may, I believe we can all recount some sort of personal experience one way or the other regarding studded tires. The problem that I see is that some people are making it an argument against safety or damage to the roads. I think that without a shadow of a doubt, if the State Legislators and Senators felt that it was the greatest protection in the world for our citizens or our residents, I don't think they would hesitate to let studded tires to continue. So, I think there has to be some room for debate as to their being that safe. No doubt, they have created the damage to the roads that they claim. So, as we all well know, it ~~is~~ a matter for the State Legislature, and they are going to have to decide. I just wonder if we have enough facts, you say some personal experiences, to say unequivocally that they are the greatest safety feature that we can possibly have.

As I said, and I repeat, if I thought the legislators, in fact, I know, if they felt as you do, no doubt they would say let us continue studded tires. But, there has to be some room for doubt or they wouldn't be debating it at this late date.

Mr. Givens:

If I could perhaps make maybe one other note, Mr. President, and that is the fact that many of us do live in the Eastern quadron of the City of Pittsburgh which is relatively level. When you go into the South Hills and South Side, when you get into the North Hills and in some cases when you get into the Eastern part, Garfield, Stanton Heights area and out into the 13 Ward of the City of Pittsburgh where you have to climb a pretty good hill there in order to get to some places. I'm talking about people who have to walk five or six blocks because they cannot navigate, not because of the snow, because of the ice.

The Chair:

I believe all of these arguments have been brought forward and this is what the State Legislature is going to have to decide.

Mr. Givens:

As I indicated, it is only this Council urging the State Legislature to review once more, I would hope that we could at least do that so that they might at least look into this again. If these State Senators, in fact, overwhelmingly supported this, and the Governor was to veto it and the thing died, figuring it would come back up again this January 19th when they reconvene again, I would hope, and I'd hear from all segments of life and society that this is what the people want and that is why I have put this resolution out before this Council today.

Mr. Coyne:

Mr. President, I would just like to address myself to the intent of the resolution...it is more than just urging the legislature to take up this subject which we already know that they are going to take up and debate, and talk about, so if that is the intent, I don't think we need the resolution they are going to do that anyhow as a matter of record. But, the resolution, goes even further than that and says "in the interest of public safety, urges the General Assembly to immediately consider studded tire legislation upon reconvening so as to safeguard the roads in Pennsylvania with the additional protection provided by studded tires." I think it goes beyond asking the legislature just to consider legislation which we already know they are going to do.

Mr. Givens:

Well, what happens to anybody when they have to put something forward, they need the support of the local municipalities in the case of the State Legislature.

Mr. Coyne:

Well, that is right, but I mean, that is different from what you explained before, you indicated that all you wanted to do was to urge them...

Mr. Givens:

Yes, I am urging, I am urging again here, I'm saying that one thing we can do is show our consideration. If you feel that studded tires are not something that is required, in your daily driving or that of your constituents, then you have to vote likewise.

Mr. Coyne:

Well, as I see this it is a request of the Legislature to enact legislation that would allow studded snow tires and that is different from what you indicated your intent of the legislation was, you indicated that what you wanted was for them to consider legislation.

Mr. Givens:

I think I put urging...urging...urging, about three different times, even in that sentence that you just read, I urged again that the General Assembly immediately consider studded tires.

The Chair:

Would you consider withdrawing your resolution and coming up with a compromise resolution similar to what Mr. Coyne said because it is rather strong language at the end there, it is just as much as saying we are trying to use some influence as to our feeling regarding studded tires. I think that this kind of resolution would fail here today.

I would be inclined to vote against it.

Michelle Madoff:

By the time it was re-written, I think they would already be considering it. As you know, Senator Romanelli has said he is going to be bringing it up.

Mr. Bulls:

As a resident of the North Side, with such streets as Perrysville Avenue, Marshall Avenue and the Federal Street Extension, I support Mr. Givens' resolution.

Michelle Madoff:

I'd like to mention before we vote that I am a Squirrel Hill resident, Squirrel Hill is

very hilly and living 900 feet above sea level, studded tires won't make any difference, I'm going to need chains, I had to get Jack Ruff to get me off today and I'm going to vote against this.

Mr. Robinson:

Living on a hill, in the middle of a hill and given the ice storm that we had last night, I think that certainly the intent of Mr. Givens' legislation is well taken, I think it is a very serious problem and I don't want to belabor the discussion, but I think that there are enough people who are seriously concerned at this point that they would like to have it reconsidered. But, by the same token, I think Mr. Coyne's comments are very germane in reference to this particular piece of legislation, and only because I have some concerns about the way it is written, I will be voting no, but I think the intent is very appropriate.

The Chair:

As I said earlier, I would like to see this re-written. In regards to safety features it concerns me and I know it concerns all of Council, but at the same time I believe it is worded a little too strongly.

The resolution has been made and seconded, let us have a vote on it.

Is there any further discussion on the resolution?

And on the question, "Shall the resolution pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes	Noes:
Mr. Bulls	Mr. Coyne
Mr. Givens	Michelle Madoff
Mrs. Masloff	Mr. Robinson
	Mr. Stone
	Mr. DePasquale
Ayes 3	Noes 5

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Bulls:

Mr. President, I'd just like to mention, last winter I attempted to have a set of chains put on and there are not too many places they put chains on.

Michelle Madoff:

Any gas station.

Mr. Givens:

You can't even get air in your tires right now...

The Chair presented

No. 2506 Communication from Richard S. Caliguiri, Mayor, submitting the name of Alan S. Penkower as Chief Magistrate for a term to expire in four years.

Which was read, received and filed.

Also,

No. 2507 Resolution approving the appointment by the Mayor of Alan S. Penkower of 1548 Shady Avenue as Chief Magistrate for a term to expire in four years.

Which was read.

Mr. Givens moved to hold for two weeks.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 2508 Communication from Richard S. Caliguiri, Mayor, submitting the name of Lawrence J. Yatch as Director of the Department of Supplies.

Which was read, received and filed.

Also,

No. 2509 Resolution approving the appointment by the Mayor of Lawrence J. Yatch of 1463 Greystone Drive as Director of the Department of Supplies.

Mr. Robinson moved to hold for two weeks.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Bulls:

Mr. President, point of clarification, I realize we have had a vote but I would like to know regarding Councilman Givens' resolution, is the Council on record as being opposed to supporting legislation for studded snow tires?

The Chair:

No, I would say absolutely not, but it is just that most of them are opposed to the wording of the legislation.

Mr. Bulls:

What are we opposed to, this is what I am trying to find out.

The Chair:

It is a difficult question to answer. Personally I don't know that much about studded tires. All I know is what I've been reading that some people feel that they are quite safe, and they are the safest thing we should have and other people talk about the damage they do to our roads is insurmountable, somewhere in the area of \$100 Million, and they feel that they are not that safe that we should have that much damage or that much expense.

All I know is what I've read. As I said earlier. I think if it was absolutely the safest measure I don't think anybody would hesitate to urge the State Legislature to vote so that they would.

Mr. Coyne:

Mr. President, I think that all that Council has done is voted not to urge the General Assembly to consider studded tire legislation, I don't think anyone said that we were against that, it's just that we don't want to urge the Legislature to go ahead with that.

Mr. Givens:

Bill, I have to disagree with you, I can't see how you can say that we don't want to

urge the State not to go along with legislation for studded snow tires and the other side say that you are not for or against studded snow tires.

Mr. Coyne:

I don't think this resolution was asking us to take a stand one way or another on studded snow tires, if you read the legislation, all it says is "urges the General Assembly to immediately consider legislation", now that is what we voted against.

If you want to make it very clear, you put down either you are in favor or opposed to studded tire legislation.

The Chair:

I don't think the State Legislature is going to abide by our decision today, we're making it sound like it is going to be either yes or no by what we say today.

Michelle Madoff:

Mr. President, I just want to ask a question, if I may. What is the Protocol, since we have the veto of the budget, within thirty days, there are some changes to be made and because of my not being well, and might mention to Council my doctor says I have pleurisy which we are passing around and most used is arhythmocin, but in any event, I may not be here next week and I want to be sure that we're here for whatever changes take place.

The Chair:

There is a thirty day grace period in order to amend the budget in regards to mistakes we perhaps may have made or omissions.

Michelle Madoff:

Well, would that be taken up next week, this Wednesday, I just want to be sure that my schedule is here so I am here.

The Chair:

That should be taken up at the following meeting. Any requests should be made of the

Clerk and put in the form of resulation.
Is that correct Mike?

Mr. Perry:

That is correct. In about two to three weeks.

Mr. Stone moved to excuse Mr. Lally from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Tuesday, January 2, 1978.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on motion of Mr. Robinson

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, January 15, 1979

No. 3

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAVY Ass't City Clerk

Pittsburgh, Pa.
Monday, January 15, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

ABSENT:

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all

PRESENTATIONS

Mr. Bulls

No. 2510 Resolution providing for a contract or contracts with Prudential Insurance Company of America for a short term and

long term sickness and accident liability insurance plan for all uniformed members of the Department of Emergency Medical Services.

Which was read and referred to the Committee on Finance.

Also

No. 2511 Resolution providing for entering into a Supplemental Agreement for the purchase of uniforms and related equipment for the Department of Police; and providing for the payment thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2512 Resolution authorizing the reduction of the retained percentage from 10% to 1% on Fifth Avenue Reconstruction, Phase I, Bellefield Avenue to South Highland Avenue, J-Jack Construction Company, Controller's Contract No. 22697.

Also

No. 2513 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering services in connection with the inspection and design of the Larimer Avenue Bridge; and providing for the payment of costs thereof.

Also

No. 2514 Resolution providing for the purchase from Nathan Lippard for street improvements and other public purposes, in lieu of condemnation as authorized by Reso-

lution 753 of 1976, certain property along Shady Avenue in the Fourteenth Ward of the City of Pittsburgh, and providing for the payment of the cost thereof.

Also

No. 2515 Resolution further amending Exhibit 1 of Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977, as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379, effective December 12, 1978, entitled, "Resolution approving the 1976 Capital Improvements Projects; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the costs thereof", by reallocating funds and creating a new line item.

Also

No. 2516 Communication from John E. Ruff, Director of the Department of Public Works, requesting interim approval of payment of \$5,000.00 for extra work on Murray Avenue Bridge, Controller's Contract Nos. 23103 and 23103-F.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2517 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 116-G, Lot Nos., 201, 250, 42, 58, 78, 44, 56, 284.

Also

No. 2518 Resolution approving a form of Contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and C. Timothy Stoner and Olivia Hatchett Stoner for the sale of Parcel 83 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 2519 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Chauncey J. White for the sale of Parcel 86 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 2520 Resolution approving a form of Contract for Disposition of Land by and Between the Urban Redevelopment Authority of Pittsburgh and Daniel F. Bailey and Mary Ann Bailey for the sale of Parcel 130 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 2521 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marlene H. Ellis and Clarence W. Oden for the sale of Block 26J Lots 236, 237, 239 and 320 in the Fifth Ward of the City of Pittsburgh.

Also

No. 2522 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doris L. Velar for the sale of Parcel 217 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2523 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nellie Allen for the sale of

Parcel 5e in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing, and Development.

Mr. Lally presented

No. 2524 Resolution providing for an Agreement or Agreements with a Consulting Engineer for professional services in connection with air-conditioning of City Council Chambers and providing for the payment of the cost thereof.

Also

No. 2525 Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of the Sheraden Library/Community Building.

Also

No. 2526 Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City of Pittsburgh, to enter into a lease from Victor C. Cserer and Charles C. Wills, for all that certain building situate at 1103 Western Avenue, 21st Ward, for a term of six (6) months, for use by the Department of Supplies warehouse and body shop and other public purposes, upon certain terms and conditions, and providing for the payment of same.

Also

No. 2527 Resolution providing for a deed to Herman D. Engelberg, conveying the right, title and interest of the City of Pittsburgh in certain property located on Tunnel Street, 2nd Ward, for \$1,100.00 being known as Block 2-F, Pt. of Lot 290.

Also

No. 2528 Communication from Harold West, Director of the Department of Lands and Buildings, requesting interim approval of payment of \$7,788.00 to Carl J. Bonidie, Inc., for extra work in connection with Weatherization Program at City-County

Building, Capital Project LB 78-09, City-County Building Weatherization Program. County of Allegheny will reimburse City for one-half share upon completion of work.

Also

No. 2529 Communication from Harold West, Director of the Department of Lands and Buildings, requesting interim approval of payment of \$200.00 to Ransom Construction Company for extra work at No. 53 Engine Company, Controller's Contract No. 22114.

Also

No. 2530 Resolution authorizing the sale of property in the 18th Ward being a vacant lot on Warrington Avenue E. between Brosville and Admanda Streets, Block 14-C, Lot 229, to H. J. Kapton for the sum of \$250.00. Lot size 22.5 x 120.

Also

No. 2531 Resolution authorizing the sale of property in the 24th Ward being vacant lots on Rialto Street to Edward P. Tremel and Laura Hack Tremel, his wife, for the sum of \$750.00, designated as Block 48-J, Lot 277. Plan Lot #16 - 25.08 x 131 x 25, Plan Lot #17 - 25.08 x 133 x 33.

Also

No. 2532 Resolution authorizing the sale of property in the 13th Ward being a 1 story brick and stucco gas station on 801 Brushton Avenue, corner Bennett Street, Block 174-R, Lot 182 to Solomon W. James and Carol D. James for the sum of \$5,125.00.

Also

No. 2533 Resolution authorizing the sale of property in the 16th Ward being vacant land on Cobden Street, Block 13-H, Lots 162, 163, 174, 178, 182, 179 to Walter G. Artinger for the sum of \$9,050.00.

Also

No. 2534 Resolution authorizing the sale of property in the 32nd Ward being a 2 story

frame house rear of No. 68 Briggs Street, Block 96-S, Lot 14 to Michael Savich and Mildred Savich for the sum of \$2,000.00.

Also

No. 2535 Resolution authorizing the sale of property in the 20th Ward being vacant lots on Lakewood Street to Mary Way, designated as Block 20-L, Lots 43, 47 and 48, to Frank J. Ejzak and David Szczepinski for the sum of \$2,500.00. All lots 25 x 100 each.

Also

No. 2536 Resolution authorizing the sale of property in the 13th Ward being a vacant lot on Frankstown Avenue Block 174-R, Lot 381, for the sum of \$400.00, to Aretha James and Jeremiah James, her husband, Size 40 x 135.39.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Lally for Michelle Madoff presented

No. 2537 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960, in the amount of \$15,800.00, in payment for extra work furnished for the benefit of the City in connection with the cleaning/repair, cement mortar lining 48"/50" steel rising main to Highland Reservoir #2, Controller's Contract No. 23179 and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 2538 Resolution providing for an agreement with the Pittsburgh Opera, Inc., to provide opera performances and providing for the payment of the costs therefore, which shall not exceed \$9,000 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also

No. 2539 Communication from Louise R.

Brown, Director of the Department of Parks and Recreation requesting permission for Deborah Solow to present seminar on "Importance of Informational Services in the Field of Recreation" Penn State University, January 25, 1979, and to attend other seminars and meetings. All expenses will be absorbed by Penn State University.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2540 Resolution amending Resolution No. 1418, approved December 19, 1978, entitled "A Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Replacement of Vacuum Sewer Cleaning Machine and High Pressure Jet Rodder Unit on Existing Chasis for the Department of Public Works, and for the payment thereof", by increasing the amount to \$39,000.00 from \$36,000.00.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2541 Resolution authorizing and directing the Mayor to issue and the Controller to countersign a warrant or warrants in favor of the Pennsylvania Commission on Crime and Delinquency in the total amount of \$78,256 representing refunds in various projects.

Also

No. 2542 Resolution providing for the issuance of a warrant to Beatrice Scott, Frank Scott, Virginia Scott, Jennie Burroughs and James Burroughs in the amount of \$12,500.00 in full settlement of claim for personal injuries and providing for the payment thereof.

Also

No. 2543 Resolution authorizing issuance of a warrant in favor of Jay H. and Leah C. Suldin in the sum of \$675.00 in settlement of claim for damage.

Also

No. 2544 Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Cyril J. Miller in the sum of \$2,704.08 in settlement of claim for damage.

Also

No. 2545 Resolution authorizing issuance of a warrant in favor of Bethlehem Wire & Fence Company in the sum of \$3,609.40 in settlement of claim for damage.

Also

No. 2546 Resolution authorizing issuance of a warrant in favor of Robert Morris College in the amount of \$1,836.00 in settlement of claim for damage.

Also

No. 2547 Resolution authorizing issuance of a warrant in favor of Nationwide Insurance Company and Robert and Phyllis L. Black in the sum of \$1,502.89 in settlement of claim for damage and personal injury.

Also

No. 2548 Resolution transferring \$500,000 from various Code Accounts to the City-County Identification Information System Project (C-CIISP in STF #2).

Also

No. 2549 Resolution amending Resolution No. 1044 approved October 24, 1977 entitled "A Resolution providing for an Agreement or Agreements with Urban Redevelopment Authority of the City of Pittsburgh in connection with the Comprehensive Employment and Training Act and providing for reimbursement to the City for excess wages paid to CETA participants."

Also

No. 2550 Resolution amending a portion of Resolution No. 868 approved September 26, 1977 entitled "Amending a portion of Resolution No. 923, approved November 29, 1976 entitled "A Resolution providing for an Agreement or Agreements with the Housing

Authority of the City of Pittsburgh in connection with the Comprehensive Employment and Training Act and providing for reimbursement to the City for excess wages paid to CETA participants."

Also

No. 2551 Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Chamber of Commerce for the implementation of the City of Pittsburgh Public Service Employment Program.

Also

No. 2552 Communication from John E. McGrady, City Controller requesting permission for Raymond E. Johnson, Deputy City Controller to attend the annual Municipal Finance Officers International Conference in Detroit, Michigan from June 2 to June 7, 1979, cost not to exceed \$900.00, payable from Code Account 1048, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2553 Petition from Wm. Tompkins, Housing Coordinator, United Manchester Redevelopment Committee requesting a public hearing regarding problems encountered with the rehabilitation programs: 1) Clean-up Problem, 2) Water Ponding Problem, 3) N.H.P. New construction, 4) Swimming Pool Site, 5) Allegheny/Columbus Avenue and Pennsylvania Avenue Bridges.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens:

Is that the same petition I read, Mike where they requested several people to be up here?

Mr. Perry:

You mean all department heads?

Mr. Givens:

Well, they are talking about the Pennsylvania Avenue Bridge and a few other bridges along with swimming pools and they are talking about they just want URA people up here, so, the petition is broad in scope and they seem to be concentrating in the URA area of rehabs, etc., but they go into a much greater area in that particular petition. They go into bridge repair, new bridge construction, swimming pools, parks and recreation...

Mr. Perry:

The proper department heads will be notified of the hearing.

The Chair:

This will be discussed on Wednesday, right Mike?

Mr. Perry:

Yes.

REPORTS OF COMMITTEES

Mr. Coyne presented

No. 2554

Report of the Committee on Public Works for January 10, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2461

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection and design of Baum Boulevard Bridge, PW 78-09 and PW 76-39; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 2462

A Resolution entitled, "Resolution amending Resolution No. 1288 approved November 17, 1978, effective November 24, 1978, entitled, 'Resolution providing for an Agreement or Agreements with BKI Associates, Inc., 9528 Rockport Road, Vienna, Virginia 22180 for professional traffic planning and engineering services in connection with improvements in the East Liberty Mall area and providing for the payment of the cost thereof'; by correcting the title and the source of funding."

Which was read.

Also,

Bill No. 2463

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 675, approved 8-16-76, as amended by Resolution No. 747, approved 8-16-77, as amended by Resolution No. 1020, effective 10-27-77, as amended by Resolution No. 4, effective 1-31-78, as amended by Resolution No. 725, effective 6-30-78, as amended by Resolution No. 827, effective 8-3-78, as amended by Resolution No. 1333, effective 11-30-78, entitled, 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account', by reallocating funds and creating 2 additional projects."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2555

Report of the Committee on Supplies for January 10, 1979 submitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2467

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Aerial Bucket Truck for the Bureau of Automotive Equipment, Department of Supplies and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson

Mr. Givens
Mr. Lally

Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 2556

Report of the Committee on Public Safety for January 10, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2460

A Resolution entitled, "Resolution providing for accepting a grant from The Sears-Roebuck Foundation in the amount of Three Thousand Dollars (\$3,000.00) for operation of 'Officer Friendly Program' to be conducted by the Community Relations Section of the Department of Police; providing for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Bulls presented

No. 2557 WHEREAS, the Sickle Cell Disease Foundation is a voluntary health agency formed to support and conduct research and educational programs aimed at control and ultimately eradication of Sickle Cell Anemia; and

WHEREAS, local chapters set up clinics for screening and genetic counseling; sponsor symposiums, seminars and public school programs; offer professional training; distribute educational material and maintain a speaker's bureau and produce informational films on the disease; and

WHEREAS, various individuals, agencies and organizations throughout the Pittsburgh area devote much time and effort in combating this serious disease.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the Citizens of Pittsburgh do hereby recognize January 14 to 20, 1979 as Sickle Cell Screening Week and commend those people, agencies and organizations for their time and devoted effort in the battle against Sickle Cell Anemia; and encourage physicians, professionals, and individual citizens to support and participate in these efforts.

Which was read.

Mr. Bulls moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Robinson and Mr. Bulls presented

No. 2558 WHEREAS, The Reverend Martin Luther King, Jr. dedicated his life and endeavors, to the achievement of a just and healthy society and the enchancement of

respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

WHEREAS, his outstanding contributions included the Nobel Peace Prize and other forms of international recognition; and

WHEREAS, January 15 is the birthdate of this great American and is celebrated throughout the United States of America; and

WHEREAS, celebrations are held in schools, churches and community centers; and

WHEREAS, the United States Congress has been petitioned to designate January 15 as a legal holiday

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the residents of the City of Pittsburgh do honor and recognize the birthdate of The Reverend Martin Luther King, Jr. and encourage the Congress of the United States to designate January 15 as a national legal holiday.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Glivens presented

No. 25 RESOLUTION urging the General Assembly to immediately consider legislation regarding studded snow tires in Pennsylvania; and

WHEREAS, the General Assembly has before it legislation which reconsiders the legalization of studded snow tires in our Commonwealth.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh urges the General Assem-

bly to immediately consider the legislation regarding studded snow tires upon reconvening.

Which was read.

Mr. Givens moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone moved to excuse Michelle Madoff for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the minutes of Tuesday, December 26, 1978, Sunday, December 31, 1978 and Monday, January 8, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, January 22, 1979

No. 4

Municipal Record

ONE HUNDRED

TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. MCCRAY Ass't City Clerk

Pittsburgh, PA

Monday, January 22, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

ABSENT:

Mr. Coyne
Mr. Lally
Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2560 Resolution providing for an

Agreement effective January 1, 1979 with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Police, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Bulls for Mr. Coyne presented

No. 2561 Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Seventy-Four Thousand Five Hundred Dollars (\$74,500.00), in payment of emergency work performed for the removal of an overhanging boulder above East Sycamore Place, without previous authority of law, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2562 Resolution amending Resolution No. 640, approved August 2, 1976, effective August 18, 1976, entitled, "Resolution providing for a Contract or Contracts for the reconstruction of Fifth Avenue from Bellefield Avenue to Highland Avenue (PW 76-15) and related waterline improvements (W 76-2); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by including a provision for decreasing the allocation for the Department of Public Works allocation from \$2,460,000.00 to \$2,000,000.00.

Also

No. 2563 Resolution providing for a Contract or Contracts in connection with the demolition of the Fulton Street Footbridge; and providing for the payment of costs thereof.

Also

No. 2564 Resolution taking, using, appropriating and condemning certain property of Joseph Tedesco, situate in the Sixth Ward of the City of Pittsburgh, County of Allegheny, and Commonwealth of Pennsylvania, for the widening of Ruthven Street and other public purposes, and providing for the payment of the costs thereof.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2565 An Ordinance adopting the Commonwealth's obscenity statute regarding obscene and other sexual materials and giving the Mayor of the City of Pittsburgh the authority to institute proceedings in equity.

Which was read and referred to the Committee on Public Safety.

Also

No. 2566 Communication from Paul C. Brophy, Director of the Department of Housing requesting permission for Andrea Wright, to attend Community Development Training Session as part of comprehensive housing development orientation, William Penn Hotel, January 20, 1979, at cost not to exceed \$30.00, payable from 1978 Community Development Block Grant Trust Fund, Department of Housing.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens for Mr. Lally presented

No. 2567 Resolution providing for the

issuance of a warrant in favor of James C. Eastley, Inc., in the amount of \$12,610.65 in payment for replacement of steam boiler at Leslie Playground, and providing for the payment thereof.

Also

No. 2568 Resolution providing for the issuance of a warrant in favor of General Elevator Co., Inc., in the amount of \$560.00 in payment for extra work furnished for the benefit of the City in connection with renovation of elevators 5 and 6 in the Public Safety Building; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 2569 Resolution providing for an Agreement or Agreements with the County of Allegheny for one-half share not to exceed \$125,000.00 in connection with Cornice Repairs and Cleaning, City-County Building; and providing for the payment of costs thereof.

Also

No. 2570 Resolution amending Resolution No. 1497, approved 12/22/78 for the sale of property, 5th Ward on 638-640-645 and 646 Kirkpatrick St., Block 10-K, Lots 179-180-181 and 183 to The Rising Star Baptist Church. Reason for amendment is to insert in the first paragraph the sum of \$3,300.00. All else in Resolution No. 1497 shall remain the same and in effect.

Also

No. 2571 Resolution providing for the filing of a petition for the sale of a 2 story brick house on 3605 Charlotte Street, 6th Ward, Block 48-M, Lot 35-A to Edward T. Marchewska for the sum of \$600.00.

Also

No. 2572 Resolution providing for the filing of a petition for the sale of a 2 story brick house on 175 Thirty Sixth Street, 6th Ward, Block 48-M, Lot 32 to Edward T. Mar-

chewska for the sum of \$600.00.

Also

No. 2573 Resolution providing for the filing of a petition for the sale of property in the 8th Ward being a 2 story frame house on 4718 Juniper Street, Block 26-H, Lot 67, to Dominic F. Santucci Assoc. for the sum of \$750.00.

Also

No. 2574 Resolution providing for the filing of a petition for the sale of a vacant lot 22 x 89 on 2426 Salisbury Street, 16th Ward, Block 13-L, Lot 140 to Wallace J. Graczyk and Irene L. Graczyk, his wife for the sum of \$150.00.

Also

No. 2575 Resolution providing for the filing of a petition for the sale of a vacant lot 48 x 48 on Larkins Way, Block 12-S, Lot 103, to Richard Shahan and Barbara Shahan, his wife, for the sum of \$250.00.

Also

No. 2576 Resolution providing for the filing of a petition for the sale of a vacant lot on 1316 Chartiers Avenue in the 20th Ward, Block 20-F, Lot 263, to Robert A. Bruno for the sum of \$1,000.00. Lot size 25 x 100.

Also

No. 2577 Resolution providing for the filing of petition for the sale of a irregular vacant lot, 245 x 25.25 on 221 Pinecastle Avenue, Block 139-H, Lot 120, 32nd Ward to Gilbert S. Bilski and Constance A. Bilski, his wife, for the sum of \$250.00.

Which were severally read and referred to the Committee on Lands and Buildings.

Mrs. Masloff presented

No. 2578 Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979 and providing for the

payment of the cost which is not to exceed \$30,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also

No. 2579 Resolution authorizing and directing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from various public and private foundations and individuals, organizations and agencies for Special Parks' Programs, in the Department of Parks and Recreation, and to create a Special Parks' Program Trust Fund, and to deposit all funds for said programs into said account; and providing for the payment of expenses in connection with the Special Parks' Programs.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2580 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Nuclear Moisture Density Gauge, etc., for the Department of Supplies and for the payment thereof.

Also

No. 2581 Communication from Mayor Caliguiri requesting permission for Richard Hyde, William Cherry and William Graham to attend Nuclear Gauge Conference, Ramada Inn, Coraopolis, Pa., January 29-30, 1979 at a cost not to exceed \$180.00, payable from Code Account 1134, Miscellaneous Services, Bureau of Tests, Department of Supplies.

Which were read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 2582 Resolution authorizing the issuance of a warrant in favor of John S. and Nellie R. Dzumela in the sum of \$2,775.00 in settlement of claim for damage.

Also

No. 2583 Resolution authorizing issu-

ance of a warrant in favor of William Smith in settlement of claim for damage.

Also

No. 2584 Resolution authorization issuance of a warrant in favor of Boston Chatman in the sum of \$833.52 in settlement of claim for damage.

Also

No. 2585 Resolution providing for the issuance of warrants in the aggregate amount of \$1,808.00 to be distributed in the following manner: Ted Encke, M.D. \$120.00, Mercy Hospital, \$138.25, John A. Caputo, Esquire, \$732.20 and Herbert Petticord, Sr., on behalf of Herbert Petticord, Jr., a minor, in full settlement of lawsuit for personal injuries and providing for the payment thereof.

Also

No. 2586 Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$1,000,000.00 from Code Account No. 1099-2, an amount not to exceed the aggregate sum of \$135,300.00 from Code Account No. 1420, and an amount not to exceed the aggregate sum of \$380,000.00 from Code Account No. 1420-2 to CETA-T.2 Trust Fund and CETA-T.6 Trust Fund to pay wages and fringe benefits paid to CETA participants over the authorized federal salary of \$10,000.00 per annum.

Also

No. 2587 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion.

Also

No. 2588 Resolution providing for an Agreement or Agreements with

Psychological Service of Pittsburgh for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations.

Also

No. 2589 Resolution providing for an Agreement or Agreements with local private-for-profit businesses, or nonprofit organizations, to provide on-the-job-training services for CETA participants and providing for the payment of the cost thereof.

Also

No. 2590 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Maureen Morrissey, to travel to Detroit, Michigan, January 22, 1979 to examine project using CETA funds for training in housing maintenance and rehabilitation at a cost not to exceed \$150.00, payable from CETA Trust Fund.

Also

No. 2591 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Josephine Kenny, Maureen Morrissey, Heladia Nardi and Monica George to attend Mid-Atlantic Manpower Professional Association Conference, Pittsburgh Marriott Inn, January 31-February 2, 1979, at a cost not to exceed \$85.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. Report of the Committee on Finance for January 17, 1979 transmitting sundry resolutions to Council.

Mr. Robinson for Mr. Stone presented

No. 2592

Report of the Committee on Finance for January 17, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2468

A resolution entitled, "Resolution providing for the issuance of \$107,591.00 warrant in connection with Declaration of Taking in Eminent Domain proceedings of certain property for public sewer purposes; and providing for the payment thereof."
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 6

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2469

A Resolution entitled, "Resolution further amending Ordinance No 629, effective December 10, 1973, as amended by Resolution No. 559, effective May 30, 1978, entitled; "Transferring \$643,031.40 from various Department of Public Works' Bond Funds and \$24,047.00 from the Department of Water's Bond Fund No. 227 to TOPICS Trust

Fund of which \$346,745.00 is subject to reimbursement to the Department of Public Works Bond Fund No. 225 upon receipt of Grant Funds from the Commonwealth of Pennsylvania, Department of Transportation', by reducing the funds for the Department of Public Works from \$643,031.40 to \$583,031.40."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 6

Noes none

And a majority of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2483

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Carl J. Bonidie, Inc., in the amount of \$3,418.25 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2484

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of North American Fencing Corp., in the amount of \$585.00 in payment for work

performed at Allegheny Commons Tennis Courts, furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 2485

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Terry Electric, Inc., in the amount of \$3,123.50 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2486

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Independent Enterprises, Inc., in amount of \$1,669.25 in payment for work performed at Riverview Park Sewer furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No 2487

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Triangle Construction Co., in the amount of \$1,669.25 in payment for work performed at Schenley Park Golf Clubhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

2488

A Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$3,281.73 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2489

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ram Construction Co., in the amount of \$1,385.60 in payment for work performed at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 6

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2495

A Resolution entitled, "Resolution amending Resolution No. 1401, approved December 14, 1978, entitled, 'Providing for the issuance of a warrant to Joseph W. Fritz and Catherine

Fritz, his wife, in the amount of \$5,500.00 in full settlement of lawsuit for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 2496

A Resolution entitled, "resolution providing for an Agreement or Agreements with Ernst & Ernst, 2000 Pittsburgh National Bank Building, Fifth Avenue and Wood Street, Pittsburgh, Pennsylvania 15222 for professional auditing services in connection with the Local Public Works Program; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2497

A Resolution amending a portion of Resolution No. 1245 approved October 23, 1978 entitled, 'A Resolution amending Resolution No. 804, approved August 15, 1977, entitled, "A Resolution providing for an Agreement or Agreements with the School District of the City of Pittsburgh for the implementation of the Comprehensive Employment and Training Act Title II, as amended, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Michelle Madoff

mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 6

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2593

Report of the Committee on Parks and Recreation for January 17, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2490

A Resolution entitled, "Resolution amending Resolution No. 1416, effective December 19, 1978, entitled: 'Providing for a contract or contracts of the use of existing contracts for the construction of a new swimming pool and recreational complex at Broadhead-Fording and Village Roads, 28th Ward, and providing for the payment of the cost thereof' by increasing the authorization."

Which was read.

Also,

Bill No. 2491

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the construction of an addition to a multi-service building at 930 Cresswell and of an adjacent playground to serve the St. Clair Village and providing for the payment thereof."

Which was read.

Also,

Bill No. 2492

A Resolution entitled, "Resolution amending Resolution No. 43, effective February 10, 1976, as amended by Resolution No. 45 of 1976, Resolution No. 586 of 1976 and Resolution No. 633 of 1976 entitled, 'Providing for the establishment of program categories for the 1975 Community Development Block Grant Program Trust Fund, and

the Model Cities Program Trust Fund, and for payment therefrom' by transferring \$60,000.00 from the Department of Parks and Recreation to the Department of Lands and Buildings."

Which was read.

Also

Bill No. 2493

A Resolution entitled, "Resolution repealing Resolution No. 718, effective October 1, 1976, entitled: 'Authorizing the letting of a contract or contracts or the use of existing contracts for the renovation of the Sheraden Recreation Building, 20th Ward in the Department of Parks and Recreation at a cost not to exceed \$60,000.00.' "

Which was read.

Michelle Madoff:

In regard to Bill No. 2493, I don't think it states...I have been away and I'm not just sure, I may have missed something, but I don't think it states that this is for the Library and I believe it it partially Library, is that correct?

The Chair:

Yes.

Michelle Madoff:

Well, don't you think we ought to have this re-written so that it does specify in part Library, because they have called us so many times on that and I think for a point of legal clarification it should be in there.

Mr. Robinson:

If I may, the Library Facility as I understand it would be part of the overall recreation building...it is not a separate building. The question has been raised as to whether or not the Library financially feels it is feasible to proceed. Whether they do or they don't the recreation building can still be constructed and the space that will be used for the Library possibly could be used for something else.

The Chair:

Right.

Mrs. Masloff:

The Library people have changed their minds on that.

Mr. Robinson:

Right, so it is not necessary to specify Library in this particular piece of legislation.

Michelle Madoff:

Well, the reason I am asking is I've had numerous calls from the people representing the people in the area saying, "Are we getting the Library, what happened in the budget?" And my understanding was that it was indeed official, they were going to get the Library and therefore, if it is true that they are going to get it, then let's put it in here. If it is going to, if it's not, if it is still vacillating and it is going to be used for multi-purpose, then we'll leave it.

Mr. Robinson:

If I'm not mistaken, the arrangements for the Library to be included in this building were worked out between the Library and our Parks and Recreation Department. Then whatever kind of agreements that were drawn up between them, that is where the problem is if there is a problem. I agree with you that we need to get some clarification from the Library, as to whether or not they are going to proceed, but I don't think we should hold up this legislation based on that. But, whether they go or they don't go, I think the people in that area probably still deserve the recreation facility.

Michelle Madoff:

I don't dispute that, but I would also hate to see them getting shortchanged on the Library. I've talked to them, they are more concerned about the Library than they are the recreation center.

Mrs. Masloff:

No, I don't think so.

Michelle Madoff:

In their conversations with me they are.

Mr. Robinson: May I make a quick suggestion, because this has come up before. If we pass this legislation and then request that the Library and Parks and Recreation give us some kind of definitive answer as to whether or not they are going to proceed that might solve the problem. One, I think it is going to clarify and separate the issues. I would hate to see us hold up on this to get an answer, which to me can be handled another way.

The other thing is, prior to the work actually beginning, a contract is going to have to be drawn up. At that time, I'm sure our Legal Department could include some language, some acceptable language which would deal with your concern, but I think the first thing is to let the public know whether or not a Library facility is going to be included and I think the Library people have to be involved in this.

Michelle Madoff:

I'm sorry I wasn't here when this was discussed because I would have liked to have that clarified.

The Chair:

Well, I think you were here when it was discussed, we are talking about something which was discussed four or six weeks ago with City Planning. The Carnegie Library people weren't crazy about the Library, they just felt there wasn't one needed in that location. As Mr. Robinson said, they are going ahead with the building and then they are going to have to work out amongst themselves whether they are going to have a Library or not.

Mr. Perry:

On Bill No. 2492, the cover letter states that the purpose of this amending Resolution is to transfer \$60,000.00 for the Sheraden Recreation Center in the Department of Parks and Recreation to the Sheraden Library in the Department of Lands and Buildings.

Michelle Madoff:

That is what I understood it to be and that is why I am asking on Bill 2493, should we include Library, is it not necessary?

Mr. Robinson:

It is not necessary.

Mr. Perry:

They are repealing this.

Michelle Madoff:

Then it is a mood issue and it is going to be done anyway.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Givens
Michells Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)**

Ayes 6

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens for Mr. Lally presented

No. 2594

Report of the Committee on Lands and Buildings for January 17, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with and affirmative recommendation,

Bill No. 2473

Resolution repealing Resolution No. 361, approved June 1, 1976, for the sale of property in the 19th Ward being a vacant lot on Plymouth Street, Block 6-R, Lot 295, to Richard J. Fisher for the sum of \$2,000.00. Hand money of \$200.00 shall be forfeited as purchaser has failed to comply with agreement of sale.

Which was read.

Also,

Bill No. 2474

Resolution authorizing the sale of property in the 13th Ward being a 2 story brick cottage on 7227 Upland Street and a lot on Stranahan Avenue being of size 25 x 88.54, designated as Block 174-B, Lot 71, to Michael W. Rollins, for the sum of \$3,000.00.

Which was read.

Also,

Bill No. 2475

Resolution authorizing the sale of property in the 17th Ward being a vacant lot on Hartford Street to Edward F. Jacob, Jr. for the sum of \$1,000.00. Block 3-R, Lot 111, 65 x 120.

Which was read.

Also,

Bill No. 2476

Resolution authorizing the sale of property in the 18th Ward being a vacant lot on 129 Beltz-hoover Avenue to Dennis Jenkins Sr. And Peter S. Hansen, Joint Tenants with Rights of Survivorship, but not as tenants in common for the sum of \$400.00. Block 14-E, Lot 163, 24.5 x 106.

Which was read.

Also,

Bill No. 2477

Resolution authorizing the sale of property in the 19th Ward being a vacant lot on Edith Street for the sum of \$600.00 to Tondy Nac-carelli, Jr., Block 6-K, Lot 363, lot 30 x 100.

Which was read.

Also,

Bill No. 2478

Resolution authorizing the sale of property in the 20th Ward being vacant lots on Rochelle Street at Hunt Street to John Philips and Denise A. Philips, his wife, for the sum of \$350.00. Block 21-P, Lot 186, 50 x 77, Block 21-P, Lot 190, 25 x 100.

Which was read.

Also,

Bill No. 2479

Resolution authorizing the sale of property the 24th Ward being vacant lots in the rear of High Street for the sum of \$300.00, to Carl J. Beeson and Anna M. Beeson, his wife, Block 47-S, Lot 7A, 22 x avg. 108.02 x 20, Block 47-S, Lot 8, 22 x 108 x 20.

Which was read.

Also,

Bill No. 2480

Resolution authorizing the sale of property in the 26th Ward being a 2 story brick house on 419 Hawkins Street, Block 76-S, Lot 86, to Richard H. Tanner, for the sum of \$750.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 6

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Bulls for Mr. Coyne presented

No. 2595 WHEREAS, the present crisis in the health care system can be attributed to factors of cost, accessibility and quality of care; and

WHEREAS, catastrophic health care illnesses were the number one cause for personal bankruptcy last year in the United States and some 30 million Americans are without any form of health insurance; and

WHEREAS, primary community health care centers in the City of Pittsburgh are struggling to survive to continue their services to city residents; and

WHEREAS, the present health care system is fast approaching a \$160 Billion a year industry or some 8.6% of the annual Gross National Product; and

WHEREAS, all residents of the City of Pittsburgh have a vested interest and real concern in regards to Administration, and congressional actions on the development of a national health care program for the United States; and

WHEREAS, the local patients rights program and numerous other community and labor organizations are sponsoring a Northeast Regional Conference on "The Crisis in Health Policy - It's Time for a National Health Service" bringing together educators, community leaders, policy makers, health professionals, and others to discuss the development of a national health care program for the United States; and

WHEREAS, several hundred out of town participants are expected to attend this conference on January 26, 27 and 28 of 1979 at the University of Pittsburgh from areas throughout the Northeast United States;

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh declare Saturday, January 27, 1979 "National Health Service Day" in Pittsburgh to highlight the importance of the conference deliberations here in our city and the need for a national health care program in the United States.

Which was read.

Mr. Bulls moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Any discussion?

The Chair:

Well, I say that this is a badly needed piece of legislation that they are sure kicking around in Congress, but go ahead Michelle.

Michelle Madoff:

I don't think anyone would disagree that everyone is entitled to proper and reasonable health care and not to be wiped out by bills, particularly, I think those most affected are the middle class, the poor get probably excellent care at clinics and the rich obviously don't have to worry. I think though, that it would be a good idea, and my point of discussion is that we might have some representation of City Council members attending this particular seminar to learn what is going on in some other countries. I know for a fact that my father could not be admitted to a hospital in Toronto, Canada, because they couldn't prove that...well, if he didn't have a cancer they wouldn't let him in for months, turned out that eventually it was a fatal disease. Some of these plans, government plans have not worked out to the best. The England people line up for blocks, they get very poor treatment in many instances. I think it would be very enlightening to members of Council to have a better, broader view, and since I have a special interest, I would not go, but I would like to see that other members of Council just attend the seminar and bring back some report to us.

Have a better feeling of what kind of program we would like to see.

The Chair:

Well, I think that this is a matter for each Council person to decide for themselves, and certainly if anyone or all of us would get there it would be worthwhile.

Michelle Madoff:

What I am saying is, if we could take it further and really, not only just approve the day, but really to have some representation to go and listen and learn.

The Chair presented

No. 2596 WHEREAS, the Pittsburgh Steelers, having won the 1978 Super Bowl XIII title, defeating the Dallas Cowboys by a score of 35 to 31; and

WHEREAS, this being the third Super Bowl Title Championship the Steelers have brought home to their loyal fans; and

WHEREAS, the Steeler team achieved this goal of becoming the 1978 Super Bowl Champions not only through the individual efforts of all the members of the squad, but also through the spirit and teamwork which reflects the outstanding coaching of Chuck Noll and his assistants; and

WHEREAS, the Pittsburgh Steelers and management have brought honor and prestige not only to themselves, but also to the City of Pittsburgh.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh, congratulate the Pittsburgh Steelers, their coaches and Mr. Art Rooney and family on winning the 1978 Super Bowl XIII title and once again achieving the ultimate football goal "SUPER BOWL CHAMPIONS".

Which was read.

Mr. Givens moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

As one who goes back to 1933 with the Steelers in their first season, when winning one game a year was quite an achievement, now they have gone on to win three Super Bowl Titles, so they have come a long, long way and thank God for that.

Michelle Madoff:

Mr. President, point of information, when we go for the first reading of introduction of new bills, there is always a question is there any unfinished business. But, it doesn't seem to be a question at the end of the bills that we are actually voting on, and I think it might be a good idea because generally someone, I know Mr. Stone generally has some comments he wants to share with Council and I just wonder if...we sometimes just wind up by saying let's excuse the absent members and there is no opportunity. I would like to respectfully request that there be some opportunity that we be asked at that point, because there are a couple of items I would like to address at this time.

The Chair:

Well at vote, we have the opportunity when we ask if there is any discussion on the bills.

Michelle Madoff:

Well, this is not particularly on a bill, but just some information I'd like to share, so I'd have to jump in.

The Chair:

Well, that comes under motions and resolutions. No one is denying you an opportunity to talk.

Michelle Madoff:

No, it's neither a motion nor a resolution. I'd like to point out that I for one would like to speak for myself and I hope for other mem-

bers of Council with my utter disgust with the fact that we have had no concern about the maintenance of adequate, not even perfect, not super, they are just adequate heating facilities in this building. I know we have had some problems, I know that the heating plant for the downtown area was going to be a problem, we brought in heavy clothes, I have had the flu for six weeks, I know that other members of Council have had this cold, I think it has gone the whole round, Sophie has had it, Mr. Stone has had it, I think Mr. Robinson was sniffing for awhile. I was sitting in my office, I took a week off, it was either going away trying to get some rest to get rid of this cold or go to the hospital. The heat is off in my office again. I called down to Mr. West's office, he doesn't know why it is off. If he is head of this Department, darn it, he ought to find out. I would like to work till six, but I'll go home at four if they'll do it after four. I don't want to hear that boilermakers have to paid extra time. Something can be worked out because this is getting to be insane. We are all ill because we just can't get some basic heat in the room.

The Chair:

I don't mean to be facetious, and I hope you have more luck with heat in the building than I had with new doors downstairs. It took me seven years, by saying me I mean pleaded for seven years and I was probably one of the persons responsible for finally getting the new doors put in.

Before we all get pneumonia I would hope they would do something about the heat problem. It's either too hot or not hot enough.

Michelle Madoff:

Well, the voice of one may not be enough, could we get some other people speaking with us together, could you speak as President for us?

The Chair:

Well, what really can you do, I mean, if we don't get it we don't get it. We can hope that's all I can say.

Michelle Madoff:

Mr. President, they are turning off the valves to do some work at this hour when we are in our offices working. Could we respectfully request that it be done after four?

The Chair:

Michelle, short of putting them in jail, what can we do? I think they really are trying, I don't think that they want to deprive us of heat, I don't know, maybe they need an entirely new system...

Michelle Madoff:

Maybe they need a new manager.

The Chair:

Maybe this is a plan to get us all...

Mr. Givens:

I might have one suggestion. Any contractual agreement that the steam company has with the City of Pittsburgh, anytime you don't provide services, in many contractual agreements you are penalized. Otherwise you are supposed to serve with a certain amount of heat and if that heat is not forthcoming, then there is a penalty clause...that is one way.

The Chair:

Well, don't we generate our own heat, you mentioned a contract, do we have a contract, I thought we generated our own heat.

Mr. Givens:

Yes, we have a contractual agreement I'm sure of it. It is a yearly one. They should be penalized if they don't provide us with the necessary heat.

The only other thing I'd like to mention is take a lot of Vitamin C, and go down to Florida and you won't have to have colds and flus and things like that.

Michelle Madoff:

No, I really don't think it is funny, I think that the attitude has been that we are here

Monday afternoon so heat is provided and Wednesday morning we've been provided with heat because we are supposed to be here, but we're not supposed to be here any other time therefore the heat is shut off when we are going to do our work. Let them do it on weekends or do it in the evening or if they want to do it on Friday, we'll take off Friday, but this is really not funny. And, I would like to see all of us, or somebody speaking for the members of Council, perhaps our President, if they could ask that some provision be made and if we have to pay overtime, damn it we pay for enough garbage that isn't done that we ought to see that Council can function and be able to at least have some heat. I don't care if it's seventy, let's have fifty, this is nothing.

The Chair:

I have actually asked them to turn off my heat period. I've been able to det along with heat from the hallway, I'm not saying that you can, it's too hot and too stuffy so they have the valves turned off and I have no heat whatsoever in my room and so far the heat in the hallway has been adequate to suit me but apparently some other members have complained. I'm not advocating that they shut everyone's heat off, but it got too hot in my office and I just couldn't stand it anymore.

Michelle Madoff:

Well, I've had mine off for the same reason, because Eileen, the little redhead, has problems too.

The Chair:

Maybe the problem is in your own immediate room?

Michelle Madoff:

Its everybody.

The Chair:

Why don't we get Mr. West up here Wednesday, Mike and go over this again, because we've done it time and again and apparently we haven't gotten any results.

Mr. Givens:

I'm sure if Mr. Lally were here, he would probably ask Mr. West to look into this, so in his behalf, I'd like to ask the Chief Clerk if he could send a letter in behalf of Mr. Lally and the Council and the President, asking Director West to investigate, this has come up everytime, the heat has been turned off in this building, why was it turned off, was it maintenance, or was it breakdown in the system, or was it preventative maintenance, and what hours did they have the heat down and what hours is it up?

We'll get a readout as to whether or not they are working at nighttime, daytime, weekends, etc.

Michelle Madoff:

I'd like to share one other item, I realize that yesterday was a big day for the City with the Steelers, and I guess they were expecting a big crowd downtown, but as we left the airport and got into the park about ten o'clock at night, it had just frozen and we had a head-on collision, there was no call for this, there was one salt truck...one. I also tried to get 911, the Emergency Number, it rang twenty times one time, eight times the next time and the third time, fourteen times, I couldn't get 911 and I'm putting it down to the fact that we had a big Steeler game and everybody was tied up, but I think this ought to bear a little watching.

Mr. Givens:

I'd like to make a notation that the Police Department of the City of Pittsburgh and that of the County Sheriffs who were standing by could be commended for the good job that they did downtown in keeping the peace for the City, their plan was well executed and I think as a result there were a minimum amount of arrests and damages done to property was limited.

The Chair:

I wish somebody would have done something about all those beer bottles they threw on my lawn...

Mr. Givens moved to excuse Mr. Coyne, Mr. Lally and Mr. Stone for absence from this meeting.

Mrs. Masloff seconded the motion.
Which motion prevailed.

Mr. Givens moved to approve the minutes of
Monday, January 15, 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on motion of Mr. Givens

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, January 29, 1979

No. 5

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Monday, January 29, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2597 Resolution providing for an agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of

the existing facility located at 101 Bonvue Street, 26th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne presented

No. 2598 Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977 as amended by Resolution No. 82 effective February 17, 1977 as amended by Resolution No. 410, effective May 16, 1977, as amended by Resolution No. 632, effective July 21, 1977, as amended by Resolution No. 905, effective October 6, 1977, as amended by Resolution No. 1019, effective October 27, 1977 as amended by Resolution No. 1337, effective December 31, 1977, as amended by Resolution No. 82, effective February 27, 1978, as amended by Resolution No. 308, effective March 30, 1978, as amended by Resolution No. 1380, effective December 12, 1978, entitled: "Resolution—adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by redesignating projects authorized for the Department of Public Works.

Also

No. 2599 Resolution further amending Resolution No. 498, effective May 17, 1978, as amended by Resolution No. 804, effective July 27, 1978, as amended by Resolution No. 994, effective August 31, 1978 entitled: "Resolution providing for a Contract of Contracts or the utilization of existing Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing, asphalt planing and other work incidental thereto", by correcting the source of funding.

Also

No. 2600 Resolution providing for an Agreement with the University of Pittsburgh in connection with the reconstruction of Fifth Avenue in the 4th Ward, including a license for installation and maintenance of two (2) underground utility tunnels.

Also

No. 2601 Resolution providing for a contract or contracts for the construction of catch basins at various locations in the City of Pittsburgh and providing for the payment of the cost thereof.

Also

No. 2602 Resolution taking, using appropriating and condemning certain property of Robert W. DeLancy, 5816 Mifflin Road, situate in the Thirty-First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, for a public sewer easement and other public purposes; and providing for the payment of the costs thereof.

Also

No. 2603 Communication from John E. Ruff, Director of Public Works, requesting permission for Fred Fischer, to attend training course at Cement and Concrete Center, Skokie, Illinois, March 12-16, 1979, at cost not to exceed \$943.30, payable from Code Account 1610, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2604 An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958 as amended Zoning District Map Sheet No. 12 by changing from "R1" One-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by; Northumberland Street; Gladstone (southern division private) Road; Lot Numbered 56, Block 53-D in the aforesaid system, Forbes Avenue and Lots Numbered 160 and 205, Block 53-H in the aforesaid system, 14th Ward.

Also

No. 2605 Resolution providing for a Supplemental Agreement or Agreements with Opportunities Industrialization Center, Inc., of Pittsburgh for servicing in connection with the Minority Contractor Bonding and Assistance Program, and increasing the amount from \$250,000.00 to \$448,300.00.

Also

No. 2606 Resolution providing for a further supplemental agreement with the United States Bureau of the Census by amending the agreement between the parties authorized by Resolution No. 297, approved April 25, 1977, effective April 28, 1977 as amended by Resolution No. 429, approved April 26, 1978, effective May 1, 1978, by extending the term and increasing the sum to be reimbursed to the City as the cost thereof.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2607 Resolution amending Resolution No. 564, effective May 30, 1978, entitled: "A Resolution providing for a contract or contracts in connection with construction for the relocation of No. 32 Engine Company, Department of Lands and Buildings, Project No. LB 76-2, and providing for the payment of the costs thereof" by increasing the maximum authorized amount from \$517,500.00 to \$627,500.00.

Also

No. 2608 Resolution repealing Resolution No. 154, approved 5/14/73, authorizing the sale of vacant lots on 105-109 Perry Street, Block 10-J, Lots 315-316 and 326 to Hill District Citizen's Community Action Development Inc., who are no longer interested and request cancellation of sale. Hand money of \$275.00 to be forfeited.

Also

No. 2609 Resolution repealing Resolution No. 63, approved February 5,

1976 authorizing the sale of a 3 sty. brk. hse. on 3329 Penn Avenue, 6th Ward, Block 25-D-92 to Larry Ginsburg for the sum of \$1,500.00. Reason for repeal is purchaser has failed to comply with agreement of sale. Hand money of \$150.00 to be forfeited.

Also

No. 2610 Resolution repealing Resolution No. 658, approved July 18, 1977, which authorized the sale of a 2 sty. brk. hse. on 5414 Kincaid Street, Block 50-M, Lot 157 to Agrectec Development Corporation, Inc., for the sum of \$750.00, as purchaser failed to comply with agreement of sale. Hand money of \$100.00 is to be forfeited.

Also

No. 2611 Resolution amending Resolution No. 1471, approved 12/15/78, which authorized the sale of property in the 13th Ward, being a vacant lot on Remington Avenue, Block 232-D, Pt. Lot 94, be deleting Plan Lot 32 and inserting in lieu there of plan Lot No. 2, to Arnold L. Dukes and Lawrence W. Dukes, his wife, for \$750.00. All else in Resolution 1471, shall remain the same and in effect.

Also

No. 2612 Resolution providing for the filing of a petition for the sale of a 3 sty. brk. hse. on 1729 Our Way, lot 20, x 53.75, Colwell Street between Vine and Dinwiddie Streets, Block 11-E, Lot 65-A, to Gwendolyn Hurt-Howze, for the sum of \$1,400.00.

Also

No. 2613 Resolution providing for the filing of a petition for the sale of property being a vacant lot 18.53 x 27.39 in the rear of S. Dallas Avenue, Block, 127-A, Lot 29, in the 14th Ward to Ralph J. Egerman and Dianne I. Wolfe, Tenants in Common, for the sum of \$150.00.

Also

No. 2614 Resolution providing for the filing of a petition for the sale of certain property being a vacant lot, 61.5 x avg. 105 x 23.4 rear of 3102 Josephine Street, 16th Ward, Block 30-A, Lot 35, to Lucille M. Timco for the sum of \$800.00.

Also

No. 2615 Resolution providing for the filing of a petition for the sale of 2 vacant lots 25 x avg. 113.4 x 34.65 in the rear of 3228 Gle., Mawr Avenue, Block, 42-G, Part Lot 155, to Jeffrey D. Pleta for the sum of \$800.00.

Also

No. 2616 Resolution providing for the filing of a petition for the sale of a vacant lot 20 x 100 on 1524 Brighton Road, Block 23-J, Lot 6, to Fred Denig, Jr. and Isolde M. Denig, his wife, for the sum of \$750.00.

Also

No. 2617 Resolution providing for the filing of a petition for the sale of property in the 32nd Ward, being a vacant lot 209.13 x 209.13, Maytide Street opposite the inter. of Ravilla Street, Block 138-C, Lot 89, to Tim M. Josephs and Stephen P. Fusco, Tenants in Common, for the sum of \$2,500.00.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2618 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 10896, Pittsburgh, PA 15236 in the amount of \$4,198.11 in payment for extra work furnished for the benefit of the City in connection with the rehabilitation of Herron Avenue, City Controller's Contract No. 22726 and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2619 Petition from the owners, tenants and other persons using the residential facilities along Fifth Avenue requesting that Fifth Avenue be restricted from heavy industrial traffic and have a permanent maximum twenty-five (25) mph speed limit extending from the intersection of Craig Street to the intersection of Fifth Avenue extension.

Which was read and referred to the Committee on Public Works.

Mr. Robinson Presented

No. 2620 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Filter System for the Department of Parks and Recreation, and for the payment thereof.

Also

No. 2621 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Oxygen Regulator, Medical Anti-shock Trousers, Stretchers, Resuscitators, etc., for the Department of Emergency Medical Services, and for the payment thereof.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2622 Resolution amending and supplementing portions of Section 1 of Resolution No. 1587 entitled, "A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1979," passed Council December 29, 1978.

Also

No. 2623 Resolution amending and supplementing portions of Page Nos. S-2, S-5, S-6, S-18, S-19, S-24, S-26, S-27, S-28, S-29, S-35, S-36, S-38, S-39, S-45, S-47, S-50, S-53, S-54.1, S-55, S-56, S-57, S-59, S-62, S-66, S-67, S-68, S-72, S-75, S-76, S-83, S-85, and S-87 of Resolution No. 1588 of 1978 entitled, "A Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," passed in Council, December 29, 1978.

Also

No. 2624 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1978 to the same code accounts for the year 1979.

Which were severally read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following

the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 2625 Resolution authorizing issuance of a warrant in favor of Public Service Mutual Insurance Company and Frank A. Reynolds in the sum of \$633.00 in settlement of claim for damage.

Also

No. 2626 Resolution authorizing issuance of a warrant in favor of John N. Elachko in the sum of \$705.00 in settlement of claim for damage.

Also

No. 2627 Resolution providing for an Agreement or Agreements with The Arts and Crafts Center of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, Title III, Subpart 2 of the Youth Employment and Demonstration Projects Act of 1977 (YCCIP Youth Community Conservation Improvement Project) and providing for the payment of the costs thereof.

Also

No. 2628 Communication from Mead J. Mulvihill, City Solicitor, submitting summaries settlements of claims not exceeding \$500.00 for the Fourth Quarter of 1978, payable from Code Account 1081, Petty Claims.

Also

No. 2629 Communication from David L. Donahue, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of November 30, 1978.

Also

No. 2630 Communication from David L. Donahue, City Treasurer, submitting a

report of deposits and market value of collateral security pledged by City Depositories to secure same as of December 29, 1978.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2631 Communication from Daniel A. Pietragallo, Executive Director, Housing Authority of the City of Pittsburgh, submitting, Names, Title and Salary of each regular employee of the Housing Authority, as of December 31, 1978.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 2507

Resolution approving the appointment by the Mayor of Alan A. Penkower of 1548 Shady Avenue as Chief Magistrate for a term to expire in four years.

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Coyne:

Mr. Chairman, I would like to address myself to the appointment of the Magistrate. When Mr. Penkower was at the table I asked him if he would recommend that the vacancy created by Magistrate Laffy's death would be filled very soon, or if he would recommend to the Administration that this vacancy be filled. He informed me that he had already made the recommendation that this vacancy be filled. The reason I was concerned about the vacancy being filled is because of the work load that Mr. Penkower indicated was down there.

As I understand it, Mr. Penkower is going to take over the Administrative func-

tion of Magistrate Laffy as Chief Magistrate and continue to work in the Housing Court section of City Court. It just seems to me that the burden on him in performing the work that will have to be done in Housing Court and his role now as Chief Magistrate where he is to be approved would dictate that a new Magistrate be forthcoming to this Council. More importantly than that, he said that he was assured by the Administration that probably some time in January that additional appointment would be forthcoming.

We are now at January 29, today, the last day for any appointments to be submitted to us to fill that vacancy and for that reason, and due to the fact that I think that the Magistrate, if he were approved, would be overburdened in performing his Housing duties, I shall vote no.

Mr. Stone:

Mr. President, if I may, it is only because of my respect for Mr. Penkower in Housing Court, and because of the large expenditures of funds and concern of this Council in the Planning and in the Housing Department...it would appear to me that since this now appears to be the bright light for the City in '79 and in the future, that we should do nothing which disturbs in any way the attempt to have a high calibre level there, as far as the Planning Department, the Housing Department and as well, the Housing Court.

It is with a great deal of reluctance, but I think in the best interest of the City of Pittsburgh, it is with reluctance that I will vote against this appointment. Not because I have anything against the individual, but rather because I have the utmost respect for him, but I think he should stay in the Housing Court without being deluded by other responsibilities.

He indicated that 1978 was a heavy year, 1979 will be a heavier year. If that is the case and if we are going to give added burdens to that responsibility, we must therefore concede that there will be a depreciation of the concern of the priority for housing and I don't think that should happen. That is contrary to the best interests of the City of Pittsburgh.

I want it clearly understood that I have the utmost respect for this man as head of our Housing Department.

The Chair:

Mr. Stone, I differ with you there, but I won't go into personalities. I agree with Councilman Coyne, and as I stated earlier, my reasons, I cannot possibly vote for Mr. Penkower as Chief Magistrate, although it is moot, he has enough votes to carry, my vote shall be no.

Mr. Lally moved for approval.

Mr. Robinson seconded the motion.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Givens
Mr. Lally

Mrs. Masloff
MR. Robinson
Michelle Madoff

Ayes 6

Noes 3 (Mr. Coyne, Mr. DePasquale and Mr. Stone voting NO)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Also,

Bill No. 2509

Resolution approving the appointment by the Mayor of Lawrence J. Yatch of 1463 Greystone Drive as Director of the Department of Supplies.

Which was read.

The Chair:

Is there any discussion on the appointment?

Mr. Stone:

Mr. President, if I may, relative to Mr. Yatch, I would like to share with this Council some of my observations. If you will recall, I was the last individual to question Mr. Yatch. As I listened to the questions as they were being asked, and also the responses, I received some benefit from that exchange and from some correspondence which I have just received. I asked him whether or not he was paying the City of Pittsburgh Wage Tax, he indicated yes, that he had. I let this go because I knew he could not unless he were a City resident.

Later, I asked him about supervisory capacity and he indicated that he was in the Marine Corps and he then indicated his great responsibility in the Marine Corps in aerial reconnaissance photography as a non-commissioned supervisor. I then asked him what his educational level was at that time, he indicated that he had just started college when he went to the Marine Corps. I then had transcribed some notes that were rather interesting...Mr. Bulls asked him a question regarding his supervisory capacity at the Chase Manhattan Bank, in the response, he did not answer Chase Manhattan, but rather about some actions in the Marine Corps. I then requested our City Clerk to correspond with the Chase Manhattan Bank, because in the resume under employment it says, Chase Manhattan Bank, New York City, Supervisor and Complaint Correspondent, Stock Transfer Department. I'm just going to read what was handed to me today since I've been away this past week...

Gentlemen:

In reply to your inquiry, the following information has been taken from our records:

Name:	Lawrence J. Yatch
Employed from:	219/68 to 1/78/72
Position:	Corresponding Research Clerk

Very truly yours,

Personnel and EBP Files

CHASE MANHATTAN BANK, N.A.

This causes me some concern regarding credibility. Aside from that, relative to this particular position, as most of you on this Council know, I have never voted for a non-city resident to serve as a Director in any Department in the City of Pittsburgh. So long as I sit on this Council, I will not blemish that record in any way. I am hard-put to understand how the Mayor of the City of Pittsburgh can expect to give added burdens to wage earners in this City as he attempted to do at budget time. Then when it comes time for hiring a wage earner in the City of Pittsburgh, he does not come qualified for a City of Pittsburgh directorship.

Mr. Yatch is not a City resident, he allegedly bought a home three months ago. It is my belief that because of prior cooperation that perhaps something was promised to him and that was obviously realized...that if he didn't come into this City it might not be possible.

Whether you realize it or not, this is now the fourth time that we seem to have found experts in the Brooklyn-Baltimore area to come into the City of Pittsburgh. We seem to have a hell of a lot of difficulty finding experts who happen to live in the City of Pittsburgh among the half of a million people who reside here.

I indicated ten days ago that I don't know what the incurable disease is that a City resident has that they cannot possibly fill a position of a Director in the City of Pittsburgh. If this Council is to join the Mayor's position of supporting a candidate, non-city resident, for a position, then I think the City of Pittsburgh's residents have lost something in the check and balance system because we will have put a crowning blow to the hope that there is a check and balance which stops non-city residents.

Many times when I have spoken on this very subject, this Council has indicated that the last time was the last time. Relative to Mr. Yatch, aside from him not being a City resident, there is no way that anyone can possibly...speaking in fairness, based on

merit...say that this man is qualified to be the Director of the Department of Supplies in the City of Pittsburgh. It's a \$10 Million Department, we have had an over abundance of problems in that area, and now, what we are attempting to do is to start an on-the-job training course for someone. If he were in private industry...let me say again, if he were in private industry, he could never qualify for the job that is attempted to be given to him today. If the Mayor owes him some responsibility for some aid from when he ran for Mayor, it would appear to me that he owes it some other place, not at the expense of the City of Pittsburgh. He gave him an \$18,000 job on the Parking Authority...that should be sufficient goodies for someone who helped the victor. On the other hand, to jump to directorship when based on, as I said, in private industry, he could not qualify for the position, is wrong. To bypass a half of a million potential people, who, if we are going to go for on the job training, let's use a City resident for someone who is not qualified for the position, is to put the last nail in the hope that these people can somehow hope that they are going to be a Director.

I think there are qualified people in the City of Pittsburgh, and if my voice is the sole and only voice on this Council, let it be said that there was at least one...but, I am hopeful today, that we will realize that this man is, number one, a non-city resident, and if we put him there, we deny City residents, in addition to that, he is not qualified for the position. Now, if we are prepared to say, "I don't care whether he is qualified, I don't care if he is a City resident, he still should be there", that is a different think but I'll be no part of that.

Mr. Robinson:

Mr. President, if I might, as Chairman of the Committee on Supplies, I think that Mr. Stone's comments are very well taken, and certainly very well put. I share his general concern about the qualifications of persons who are hired by the City, and one of those qualifications being residency, I think unfortunately the issue of qualification is reference to people who are employed by the City of Pittsburgh is distorted. Certainly not by Mr. Stone, but by others, distorted to the extent that individuals who are looking for an opportunity or individuals who have other potentials are maligned, and often feel very

threatened to come and to opt to the City whatever skills and talents that they have.

As everyone on this Council knows, and hopefully, most of the people in the City of Pittsburgh know, the Committee on Supplies that was created by City Council was a new Committee, new in 1978. I was the first Chairperson, and it would be less than honest and fair for me to say that I have not had some serious reservations about the operation of the Supplies Department. I have expressed those concerns both privately and publicly and have worked where I could try and determine the proper function of the Supplies Department as it relates to this Council and relates to our responsibility as a governing body of the City. While I have some mixed emotions about the controversy surrounding Mr. Yatch, I am trying to put the whole situation into perspective, not only in reference to who is qualified and who is not qualified to work in the City of Pittsburgh, but to put in perspective around prerogative, who's prerogative it is to hire, who's prerogative it is to fire. And, also looking at, perhaps what would be in the best interest of the City, specifically as it relates to the Department of Supplies.

I have had several conversations with Mr. Yatch, and have shared with him very candidly and openly as I have with many members of Council, my concerns about the Supplies Department. I have shared with him my hopes and my aspirations and I have also shared with him my basic concern that this Council and the Administration work in a cooperative fashion to do what we can to make the Supplies Department more effective, more efficient and certainly one that we can be proud of.

As one who sometimes has been the source, or at least the identified source of controversy as it surrounds supplies, I am very reluctant, very reluctant to discuss some of the ramifications of hiring someone in a department who is not qualified. I am not sure what the qualifications are for someone to be a Director in this City, of any department. I am not sure I understand the qualifications for anyone to work for the City of Pittsburgh, but I am sure where the prerogative lies...the prerogative in this case is with the Mayor. It is also the responsibility

of this Council, as representatives of the people, to express our concern, our interest in this matter. Unfortunately, there is nothing this Council can do to stop the Mayor from appointing Mr. Yatch and have him serve. As all of you know we have two gentlemen who are presently serving as Directors of Departments who one year ago, were presented to this Council for confirmation and were rejected who are still on the job...

The Chair:

Bill, if I may interrupt you for a second, if I understand you correctly, you are saying that perhaps if Mr. Yatch is not approved today, he will serve, this is not the case...he is not up for reconfirmation...

Mr. Robinson:

No, I'm trying to get some perspective on the prerogative of the Mayor to submit to us anyone who he feels is qualified. If he feels Mr. Yatch is qualified, I'm saying that is a responsibility that the Mayor will have to live with, if in fact, Mr. Yatch is unable to do the job. Since we do not have a job description, since we do not have any hard, fast qualifications for Directors in the City of Pittsburgh. I for one am not willing to argue around Mr. Yatch's qualifications. What I am willing to do is to put the burden on the Administration to produce. I have indicated that I will work with Mr. Yatch, day and night, he has indicated that he will work with me day and night. As the Chairman of the Committee, I am willing to give him that opportunity, but also, I reserve my right to be critical and to also raise with this Council, issues that I think are important to supplies. I don't mean to belabor the point or take up a lot of time from Council, but from my perspective, I would like to recommend that we do approve the appointment of Larry Yatch.

Mr. Givens:

I would just like to make one observation, Mr. President. When the previous Director of Supplies was nominated by this Council body, I strongly object to his nomination knowing his past record as the person in charge of the Information Department of the City of Pittsburgh, and that of the computer section.

The serious problem that we had in Supplies was to integrate the computers to the supply inventory and to clear up those problems that we had in inventory control, to help in the maintenance of our vehicles in the city garage...some of those have been overcome.

At the same time, Mr. Yatch has gone to the University of Pittsburgh, and has within the City of Pittsburgh, as a student, and wished to make his home here in the City of Pittsburgh, it was only because, in his own words, that he lived in Wilkinsburg, right adjacent to Pittsburgh, because of trying to get accommodations for he and his wife, that he did not seek a residency within Pittsburgh, he went to the area in which he felt he could get an apartment because of monetary problems. Mr. Yatch has been in the City of Pittsburgh, working downtown, either as an Attorney, or as a student for the past seven to eight years. I go along with Councilman Robinson, that we have to get someone in there who is going to be productive.

One of the main things I've heard in the past three years about our Supply Department is that much of the problem is in contractual agreements, in the last year, Mr. Dave Wykoff was badgered because of his lack of ability in contractual agreements. Now, here we have an attorney who is supposed to be schooled in these particular areas, and I would think that we need an attorney down there to help in some of those contractual agreements.

Mr. Coyne:

Mr. President, I intend to be opposed to the appointment of Mr. Yatch to the Directorship of the Department of Supplies...not so much because of Mr. Yatch, because I don't even know him, but more so because of the shortsightedness on the part of the Administration that they would send someone to this Council for recommendation with such a lack of apparent qualifications to become the director of a department that is in charge of \$10 Million in purchasing.

Mr. Yatch, both on his resume and in talking to us here at Council, indicated no past previous experience that would indicate a purchasing background, not only a pur-

chasing background, but also the lack of any governmental experience to indicate what the purchasing process is in a governmental unit. Mr. Yatch also made it very clear to this Council that the Directorship of the Department of Supplies was not going to be his only occupation. That he was going to continue to a degree, his practice of law as an outside source of income. If Mr. Yatch were applying to the Law Department for a position within the Law Department, certainly his background as a lawyer and being trained in law would have to be taken into consideration. This is all outside of the fact that Mr. Yatch up until this point has not been a City of Pittsburgh resident.

I would think that there are many people who don't live in the City of Pittsburgh, who if they were promised a \$31,000 per year job would very quickly move into the City of Pittsburgh.

For those reasons, I will oppose the nomination of Mr. Yatch.

Michelle Madoff:

I would like to make a comment that relates to all of our department heads. I'm going to vote for Mr. Yatch, I did not have the opportunity to interview him due to illness, but I did check his records, and I feel that with his qualifications, particularly in the legal aspect, he will be able to look at contracts from a legal point of view in addition to the fact that I believe he is qualified.

We're not going to have any department heads in this City if our department heads are going to be subject to the kind of abuse that they have taken from certain members of Council and we all know who...

The Chair:

Mrs. Madoff, let's contain our remarks...

I'm sorry sir, it has to be said...we have lost two department heads, we had problems with those department heads, but even taking our last department head, Supplies...he estimated his needs for the year within 2%, that is not a bad record. The man was not as bad as he was portrayed, because he fell apart, as any one of us would do under abuse, not having the opportunity as elected officials to be able to respond. If that con-

tinues. I don't care what the qualifications are of whoever is hired, we will not have people...furthermore, I have spoken to department heads and I have the gut feeling that given the opportunity to go anywhere at a better salary, or perhaps even at a lesser salary, not to take the kind of abuse they take from the Finance Chairman of our department, they would leave. I think we are going to have to, amongst ourselves, see that this doesn't happen. Or it doesn't matter who you hire, they are not going to remain with us.

The Chair:

Well, if they all leave, I don't think anybody is going to shed any tears.

Michelle Madoff:

We won't have a city running either.

Mr. Bulls

Mr. President, if I may say so, I am one of the individuals who intends to vote for Mr. Yatch. I believe that Mr. Yatch is qualified, and he has the capability to turn the Department of Supplies around.

One of the things that alarms me about the Department of Supplies, incidentally it was brought to my attention by Councilperson Madoff, the fact that the former Director had a check that was in a drawer, that should have been in the bank drawing interest.

Michelle Madoff:

I didn't bring it to your attention, I brought it to Council's attention, publicly.

Mr. Bulls:

I believe that Mr. Yatch can turn those types of things around, so I intend to vote for him.

Mr. Lally:

Mr. Chairman, I intend to vote for Mr. Yatch, I expressed myself at the table last week. Due to the fact that he is an attorney, and I think an attorney is needed in that position. There are contracts that have to be

negotiated...I think the man's qualifications are there. Due to the fact that he has been a city resident for only the past two months, I think, is another reason why Councilman Givens explained the fact that he is living in Wilkinsburg, I don't think this should have any bearing as far as the vote is concerned today. I intend to vote for him, he is a qualified individual.

Mr. Coyne:

Mr. President, I would like to comment on the opinion of some of the members of Council who feel that an attorney is needed in this position. I'd just like to say that I disagree with that. A look at the past history of who the directors of that department have been, Mr. Fogarty, Mr. Long, Mr. Wykoff and others, had no law degree, and it seems to me that the City, prior to this Administration, operated with very qualified people, was the directorship of the Department of Supplies.

Mr. Givens:

You forgot one more, Bill, Doug Long, and he had the same problems and David Wykoff had similar problems.

The Chair:

Well, I don't think the Finance Chairman needs anyone to apologize for him, but in regards to Mr. Wykoff, we have to mention names, we know he was a past director, he came to Council time and again without having done his homework, couldn't come up with the right answers, or didn't want to come up with the right answers. Mr. Bulls has brought out a fact about a check, and other incidents to where it got to the point that the Administration got fed up with Mr. Wykoff, not City Council, as much.

Certainly we had our reasons to question him, and we never seemed to get the right answer, he didn't seem to have the right answer, or know what the right answer was.

I don't know, really, the qualifications of Mr. Yatch, but I understand he comes pretty highly recommended. I'll go along with the Administration's choice of Mr. Yatch, but I just wanted to clear the air on Mr. Wykoff

and why he is no longer with us. It wasn't City Council who forced Mr. Wykoff out, it was Mr. Wykoff himself.

Michelle Madoff:

Mr. President, I asked him what the reason was for his leaving, he said he left because of abuse from Mr. Stone.

Mr. Lally moved for approval.

Mr. Robinson seconded the motion.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes 2

(MR. COYNE AND MR. STONE voting no)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Mr. Stone:

I would just like to mention that I voted not on behalf of the all City residents working for the City and qualified, and those who live in the City who are also qualified and being denied an opportunity to serve in that capacity, even though they are subject to taxation at the same time.

Michelle Madoff:

We could rent them your apartment.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2632

Report of the Committee on Finance for January 24, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2510

A Resolution entitled, "Resolution providing for a contract or contracts with Prudential Insurance Company of America for a short term and long term sickness and accident liability insurance plan for all uniformed members of the Department of Emergency Medical Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2537

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960, in the amount of \$15,800.00 in payment for extra work furnished for the benefit of the City in connection with the cleaning/repair, cement mortar lining 48"/50" steel rising main to Highland Reservoir #2, Controller's Contract No. 23179 and providing for the payment thereof."

Which was read.

Also,

Bill No. 2541

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the Controller to countersign a warrant or warrants in favor of the Pennsylvania Commission on Crime and Delinquency in the total amount of \$78,256 representing refunds in various projects."

Which was read.

Also,

Bill No. 2542

A Resolution entitled, "Resolution providing for the issuance of a warrant to Beatrice Scott, Frank Scott, Virginia Scott, Jennie Burroughs and James Burroughs in the amount of \$12,500.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2543

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Jay H. and Leah C. Suldán in the sum of \$675.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2544

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Cyril J. Miller in the sum of \$2,704.08 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2545

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Bethlehem Wire & Fence Company in the sum of \$3,609.40 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2546

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Robert Morris College in the amount of \$1,836.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2547

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Nationwide Insurance Company and Robert and Phyllis L. Black in the sum of \$1,502.89 in settlement of claim for damage and personal injury."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were'

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2548

A Resolution entitled, "Resolution transferring \$500,000.00 from various Code Accounts to the City-County Identification and Information System Project (C-CIISP in STF-#2)."

Which was read.

Mr. Givens:

Mr. President, in regard to Bill No. 2548, I know this is coming up within our own Public Safety Building. My concern is, here I see no input from the County, not as far as building the system, but as far as maintaining the system. My question here is, if we are to be the depository of this particular information system, what reimbursement do we get from any of the 130 municipalities in the county who will be able to use this, or to put it another way, if we man it, are we going to be reimbursed. We are into a situation right now where each one of them is sort of taking care of their own area and I feel there is going to be a certain cost involved as far as manpower goes in maintaining this particular system.

I appreciate the total information system, I believe we need it within the County, but my concern is are the City of Pittsburgh taxpayers alone going to have to support this system once it is put in. Can anyone enlighten me on this?

This started out as an LEA grant where we were given money to carry out the function. We had two or three years under that and thereafter you have to be able to pick it up.

Mr. Givens:

Well, that is my exact point, we are going to pick it up and we are going to man it and its going to be costly to the City of Pittsburgh. . .

Mr. Stone:

We're doing no more than we were given money to do last year. I think your question might be somewhat premature, after you see what happens now. If it needs some cooperativeness afterwards, I think then you would look into it. But what we are doing this year, it cost us nothing but the LEA money.

Mr. Givens:

Well, I think within Superintendent Coll's office, they should keep some type of a log as to how many man hours they are putting in on this system and what benefits everyone is getting out of it, and, in time to come, what Mr. Stone is talking about might be their fruit. If we don't document it then we are not going to be able to prove it until such time as we are using X manpower. When the Federal Government is cutting back, I want to be damn sure that we here in Pittsburgh, if we give services to other communities, that we are so reimbursed.

Also,

Bill No. 2549

A Resolution entitled, "Resolution amending Resolution No. 1044 approved October 24, 1977, entitled, 'A Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of the City of Pittsburgh in connection with Comprehensive Employment and Training Act and providing for reimbursement to the City for excess wages paid to CETA participants.'"

Which was read.

Also,

Bill No. 2550

A Resolution entitled, "Resolution amending a portion of Resolution No. 868 approved September 26, 1977 entitled, 'Amending a portion of Resolution No. 923, approved November 29, 1976 entitled, 'A Resolution providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh in connection with the Comprehensive Employment and Training Act and providing for reimbursement to the City

for excess wages paid to CETA participants."

Which was read.

Also,

Bill No. 2551

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Chamber of Commerce for the implementation of the City of Pittsburgh Public Service Employment Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2633

Report of the Committee on Public Works for January 24, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2512

A Resolution entitled, "Resolution

authorizing the reduction of the retained percentage from 10% to 1% on Fifth Avenue Reconstruction, Phase I Bellefield Avenue to South Highland Avenue, J-Jac Construction Company, Controller's Contract No. 22697."

Which was read.

Michelle Madoff:

At the agenda meeting on Wednesday, Mr. Lally pointed out again, as we have over the past months, the fact that people are not being paid and we had a discussion with reference to that, and I wonder if we might request the appropriate people to be in on a post agenda item so we stop talking about that problem and start doing something about it.

Mr. Perry:

I sent all of them a memo, do you want them all up here?

Michelle Madoff:

I want a post agenda meeting, or, as Mr. Robinson says, we don't often have time at the post agenda meeting, at another date, when we can spend an hour or two trying to resolve these problems.

I think it is terribly unfair that people do not get paid. I think the City is being penalized because they have to borrow the money from a bank, they have to charge it to the City and we find people not bidding, I think it is time we stop talking about the problem and start to resolve it, and since you've asked the people, would you schedule a meeting, convenient to Council and convenient to the people involved, and let's sit down and try to work out a solution to the problem.

The Chair:

The Clerk is so ordered.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none
(MR. DE PASQUALE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2513

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering services in connection with the inspection and design of the Larimer Avenue Bridge; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 2514

A Resolution entitled "Resolution providing for the purchase from Nathan Lippard for street improvements and other public purposes, in lieu of condemnation as authorized by Resolution 753 of 1976, certain property along Shady Avenue in the Fourteenth Ward of the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to alw, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2515

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977, as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379, effective December 12, 1978, entitled, "Resolution approving 1976 Capital Improvements Project; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring bona funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the costs thereof, by reallocating funds and creating a new line item."

Which was read.

Mr. Coyne moved to recommit Bill No. 2515.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Givens presented

No. 2634

Report of the Committee on Planning, Housing and Development for January 24, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2517

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 116-G, Lot Nos. 201, 250, 42, 56, 78, 44, 56, 284."

Nos. 201, 250, 42, 58, 78, 44, 56, 284."

Which was read.

Also,

Bill No. 2518

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and C. Timothy Stoner and Olivia Hatchett Stoner for the sale of Parcel 83 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 2519

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Chauncey J. White for the sale of Parcel 86 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 2520

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Daniel F. Bailey and Mary Ann Bailey for the sale of Parcel 130 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2521

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marlene H. Ellis and Clarence W. Oden for the sale of Block 26J, Lots 236, 237, 239 and 320 in the Fifth Ward of the City of Pittsburgh."

Which was read.

Michelle Madoff:

Mr. President, this bill seems to be a little unclear as to the four lots and one house and I would suggest that we hold that, Mr. Givens, is that okay with you?

Mr. Givens:

I'll go along with that, these are four different parcels of property, but this is a large site, I think the money is appropriate, but I don't know if you could build two houses on that particular site or not.

Michelle Madoff:

Just for clarification, within a week.

Mr. Givens:

Well you have 1,600 square feet, I think that is what the surface was, so 1,600 square feet is not an awful lot of square footage, but okay.

I move to recommit Bill No. 2521.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 2522

A Resolution entitled, "Resolution approving a form of Contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doris L. Velar for the sale of Parcel 217 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2523

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nellie Allen for the sale of Parcel 5e in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2635

Report of the Committee on Parks and Recreation for January 24, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2538

A Resolution entitled, "Resolution providing for an agreement with the Pittsburgh Opera, Inc., to provide opera performances and providing for the payment of the costs therefore, which shall not exceed \$9,000 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 2636

Report of the Committee on Public Safety for January 24, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2511

A Resolution entitled, "Resolution providing for entering into a supplemental agreement for the purchase of uniforms and related equipment for the Department of Police; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No 2637

Report of the Committee on Lands and Buildings for January 24, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2524

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consulting Engineer for professional services in connection with air-conditioning of City Council Chambers and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, I may be out of order, and I beg your indulgence and guidance, would it be appropriate on this bill to include adjusting the size of the radiators in our various offices? I have a radiator that could heat a ballroom, there is nothing wrong with the valves, the valve was not broken on my radiator...my air conditioning unit was removed, it was oversized, would not allow for opening the door, I'm going to get a small Sears model which will allow the opening of the window.

I wonder if we could include in this contract, just the right kind of medium temperatures so that all of us do not keep coming down with the flu and colds, and aggravating it. Would it be out of order to expand this particular contract?

Mr. Lally:

Michelle, I think this particular contract is just for the Council Chambers, any additional will have to be submitted on another resolution.

Michelle Madoff:

Well, then would it be in order for myself or someone else to submit a resolution that we go through each office and get the right size radiator?

Mr. Lally:

Why don't you let me consult with Harold West and our engineers and have a heating engineer come in here.

Michelle Madoff:

I just want to put this to rest finally, when we talk about the valve, there was nothing wrong with the valve, my valve was in perfect condition.

Mr. Lally:

I want to explain to you, there were all new valves installed in all our radiators last week...

Michelle Madoff:

Yes, but I didn't need it, my first one was fine.

Mr. Lally:

Yes, you did need it and needed a new trap on your valve too.

Michelle Madoff:

He told me mine was fine, he fibbed to me.

The Chair:

But, Bill No. 2524 Mr. Lally, does only to apply to air-conditioning of the Chamber here?

Mr. Lally:

Just for the Council Chambers.

Mr. Givens:

Only to be turned on during summer months.

The Chair:

Hopefully.

Also,

Bill No. 2525

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of the Sheraden Library/Community Building."

Which was read.

Also,

Bill No. 2526

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City of Pittsburgh, to enter into a lease from Victor C. Cserer and Charles C. Wills, for all that certain building situate at

1103 Western Avenue, 21st Ward, for a term of six (6) months, for use by the Department of Supplies warehouse and body shop and other public purposes, upon certain terms and conditions, and providing for the payment of same."

Which was read.

Also,

Bill No. 2527

A Resolution entitled, "Resolution providing for a deed to Herman D. Engelberg, conveying the right, title and interest of the City of Pittsburgh in certain property located on Tunnel Street, 2nd Ward for \$1,100.00 being known as Block 2-F, Pt. of Lot 290."

Which was read.

Also,

Bill No. 2530

Resolution authorizing the sale of property in the 18th Ward being a vacant lot on Warrington Avenue East between Brosville and Amanda Streets, Block 14-C, Lot 229, to H.J. Kapton for the sum of \$250.00. Lot size 22.5 x 120.

Which was read.

Also,

Bill No. 2531

Resolution authorizing the sale of property in the 24th Ward being vacant lots on Rialto Street to Edward P. Tremel and Laura Hack Tremel, his wife, for the sum of \$750.00, designated as Block 48-J, Lot 277. Plan Lot-#16, 25.08 x 131 x 25, Plan Lot #17, 25.08 x 133 x 33.

Which was read.

Also,

Bill No. 2532

Resolution authorizing the sale of property in the 13th Ward being a one story brick and

stucco gas station on 801 Brushton Avenue corner of Bennett Street, Block 174-R, Lot 182 to Solomon W. James and Carol D. James for the sum of \$5,125.00.

Which was read.

Also,

Bill No. 2534

Resolution authorizing the sale of property in the 32nd Ward being a 2 story frame house, rear of No. 68 Briggs Street, Block 96-S, Lot 14, to Michael Savich and Mildred Savich for the sum of \$2,000.00.

Which was read.

Also,

Bill No. 2536

Resolution authorizing the sale of property in the 13th Ward being a vacant lot on Frankstown Avenue, Block 174-R, Lot 381, for the sum of \$400.00 to Aretha James and Jeremiah James, her husband. Lot 40 x 135.39.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I had a number of phone calls this past weekend from drivers of snow trucks who asked not to have their names used, but would I please speak on their behalf.

The Chair:

Pardon me, are you speaking of City drivers of snow trucks?

Michelle Madoff:

Yes, sir, I'm talking about the people who drive our snow removal trucks. For example, the reason I happened to be in touch with one of them and the other calls came in, is that my husband couldn't get off the street to go and operate on a patient at 3:00 P.M., we are on a side street and we understand the problems. They had sent a truck out in the morning but the truck never got there, and when I called back, the truck had gone in for service.

It appears that the men feel that we need six new mechanics, that we are terribly understaffed on mechanics at the repair facility, at the garage. Can we do something about it?

Mr. Lally:

Did we not hire two mechanics?

The Chair:

I've been trying for seven years to get more people hired and it never worked, keep trying. While we are on it, Mr. Coyne have you received any calls as Chairman of Public Works in regards to what Michelle Madoff is referring to?

Mr. Coyne:

No, I haven't received any calls, but I remember the discussion coming up at budget time about mechanics, and as recall, there was a full complement except for one, I think . . . that is mechanics. Now, that doesn't mean that we don't need more

mechanics. We have an opportunity in the next week to create more positions.

Michelle Madoff:

I just thought that it was important that I pass this along with the snow that we are having and with the fact that people, I don't want to go into personalities, but somebody who works here couldn't get medicine down the street, because their child had earaches, and when they finally got it, two cars went into her fence. They are not just getting to some of the really steep side roads that you must have access to.

I spoke to the men and they say they feel that they need at least six new mechanics. This is new to me, I'm passing it along to you, if it really is a problem and I think that as members of Council we should address it. I don't know the format but I thought I'd just bring it up today, perhaps on Wednesday we might ask whoever heads that service department to come up and tell us whether this is true or not.

Mr. Coyne:

I think that is a good suggestion, maybe we ought to have the Director of the Repair Garage come in here.

The Chair:

I find no fault in your suggestion, except in these cases where we have excessive snow, and what have you, this has been the story and its going to continue to be because they are just overburdened from time to time. As far as the side streets are concerned, I've heard this for seven years and I've heard it before that, they just cannot get to those side streets unless there is an emergency, we just don't have enough people and enough equipment and we never will have.

Mr. Coyne:

The situation goes beyond, I think, the snow trucks. Currently there are something like over thirty, or at least in the last month there were thirty refuse trucks also that were waiting for repair at the garage. So maybe it wouldn't be a bad idea to have the

Director come in, or whoever is in charge of the garage to come in and talk about the problem.

Michelle Madoff:

I must confess that I realize what you are saying is absolutely valid Mr. President. I think your point is very well taken, but the issue that they particularly stressed is that the trucks were in the garage, they were not repaired properly and they were short of mechanics and I thought I should share that with Council.

Mr. Coyne:

I would have the City Clerk then, ask whoever the gentlemen is who is in charge of the City Repair Garage to be here for Wednesday's post agenda meeting.

The Chair:

Mr. Perry would you take care of that?

Mr. Perry:

Yes, I will.

Mr. Coyne:

Maybe better than that, we should have the Director of Public Works and the Director of Environmental Services.

Mr. Robinson:

Mr. President, if I might, as you know, there have been some serious concerns about the garage which we keep hearing about over and over and over again. With all due respect to Councilman Coyne and Mrs. Madoff, I think if we were to bring up the acting superintendent down at the garage we would not get any resolution to the problem. Unfortunately, the previous superintendent was terminated due to the fact that the Director of the Supply Department thought he could not handle the job. We are now saying that the present superintendent, who was the assistant superintendent isn't handling it any better. I hate to keep saying this, but that whole issue of qualification that we keep throwing out . . . the Administration is

in the process of attempting to bring in someone . . . I might mention to Mr. Stone that there were people from outside the City who have applied for the job who they feel have some of the qualifications. They have not yet hired someone, but we have a department which is minus a superintendent at the garage in the middle of winter, we have a department which is minus a director who has knowledge.

We will not get any kind of meaningful discussion until we can determine who is in charge down there, who knows what, and what plans they have to try to resolve this recurring problem.

Michell Madoff:

Well, could we have a committee perhaps who are equipped, perhaps Mr. DePasquale who has been to the garage before, and take a look and see if we need six new mechanics, are there enough . . . talk to the men and see if we have enough mechanics. I know you and Mr. Bulls did that once.

Mr. Robinson:

The problem is not really the mechanics. . .

Michelle Madof:

They said it was.

Mr. Robinson:

I know what they said . . . the problem is not really the mechanics, the problem is . . . one, space . . . two, supervision. You have mechanics who have equipment positioned in such a fashion that it cannot be worked on. For example, there may be a truck that has to be worked on immediately. There is no space because all of the work bays are taken up by vehicles that may be awaiting parts, may be awaiting work orders, you have four men who are not performing the functions that they should be performing, that is to get the work out . . . they are doing other things. The City is in the process of trying to secure a building on the North Side. . .

Mr. Lally:

We did secure that building.

Mr. Robinson:

Okay, so that some of the equipment can be moved. We have mechanics who are standing around, who cannot work on automobiles or trucks because equipment is not available, space is not available, parts are not available. I think that the overall problem down there is a management problem . . . a management problem, not a problem of having the qualified, or technically knowledgeable people to do the work.

Mr. Lally:

We will have the space available, Bill, within a period of six months on the North Side. Also, the Berger Building in the South Side is going to be available.

The Chair:

How do we resolve the management problem if we don't have a change of men?

Mr. Robinson:

Well, I am assuming that with Mr. Yatch coming in, and with the eventual hiring of a superintendent down there, at least we will be able to identify the responsible parties. Some time ago I requested from the Administration some information as to who was in charge of the Department of Supplies while Mr. Wykoff was on vacation. I have yet to receive a response from that memo. Even though I was told on three different occasions that three different people were responsible. I was told the Mayor was responsible, I was told that the individual department heads making requests were responsible and this has been since the time that we read in the paper that Director Wykoff was going to be terminated . . . he literally walked off the job. Literally walked off with no transition whatsoever. The problem is much more serious down there than I think some of us realize and I think if we bring people before Council what it is going to do is just show how serious and deep that problem is.

Michelle Madoff:

Well, that may not be a bad idea, I'd like to know how many trucks we do have in the City that do need serviced and how many mechanics we have and I think we should be able to determine from that . . . there is enough expertise.

Mr. Robinson:

Let me just make one other comment that might help clarify some of this. Unfortunately, I think, some of the people in the refuse department are a bit concerned that they now have to go to the South Side to pick up their vehicles and to leave them. Many of our refuse vehicles conveniently break down near the City garage. Therefore, the drivers and the crews get out there and go over to the garage and make out a work order to have that vehicle repaired. Again, I think it is a management problem. And, I think that it is a very serious problem of people feeling that perhaps they have been inconvenienced and therefore many of our vehicles as I suggested are conveniently breaking down near the garage.

Michelle Madoff:

Well, what is the pleasure of the Chairman, are we going to have the meeting or not have the meeting.

The Chair:

We'll have the new director and the acting superintendent in.

Mr. Coyne:

Mr. President, what I would request is that the Director of the Department of Public

Works and the Director of Environmental Services come along with whoever is at this time in charge of the operation of the City Garage. The three individuals.

The Chair:

And Mr. Stone, you promise not to abuse those people.

Mr. Givens:

What I'd like to do is have the Director of the Department of Public works come in, two things I'm concerned about, one, there has to be a public meeting on the Bloomfield Bridge. I thought it was scheduled for some time in January or the first part of February and I haven't heard anything from the Chief Clerk in fact, that we have a public hearing schedule and knowing the time. I'm concerned about that. I know the Mayor is too, but I'd like to find out exactly what that is.

Two, I would like to discuss again with the Director and with the full Council, the possibility of using something other than salt on our bridges.

The Chair:

Pepper?

Mr. Lally moved to approve the minutes of Monday, January 22, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on Motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, February 5, 1979

No. 6

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, February 5, 1979

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Before we dispense with the regular formalities of business, we have a proclamation to be read by the Mayor. Mayor Caligiuri...

Mayor Caligiuri:

Thank you Mr. President, I have been talking with Mr. Robinson regarding the Afro-American History Month, and I am

very pleased to introduce this proclamation to City Council and to the people who are in the audience today. The proclamation reads as such:

By virtue of the authority vested in me as Mayor of the City of Pittsburgh, I do hereby proclaim February, 1979 as Afro-American History Month in the City of Pittsburgh in recognition of the 63rd Anniversary of the founding of the Association for the study of Afro-American life and history and to commend the S.A.A.L.H. for its efforts to focus public attention on the contributions of black people to the advancement of this nation and to foster better understanding among people and to encourage greater appreciation of the heritage of all people and to pay particularly, tribute to those distinguished citizens of our own community who's contributions to the Afro-American Heritage have been substantial, including Louis Woodson, George B. Vashon, Martin Delaney, Henry Tanner, Robert Vann, Daisy Lampkin, Dr. Alma Illery and the Honorable Homer S. Brown.

I want to say, it has been a great privilege for me to sign this proclamation, and I will turn this over to Councilman Robinson to see that it gets into the proper hands, I know there are two people in the audience this afternoon who are here representing all this, and to all the young children, it is very good and kind of you to come down and be present also this afternoon to witness this proclamation and also the resolution of City Council.

Thank you Mr. President.

Mr. Robinson presented

Bill No. 2638 WHEREAS, Afro-

Americans have been an integral part of this nation, this state, this county, and this City's history for more than three hundred years; and

WHEREAS, the month of February has been traditionally designated to recognize their many deeds and accomplishments; and

WHEREAS, many distinguished Afro-Americans made history as residents of our City, such as Dr. Martin R. Delaney, Louis Woodson, George B. Vashon, Henry Ossawa Tanner, Robert L. Vann, Daisy Lampkin, Dr. Alma Illery, and Honorable Homer S. Brown; and

WHEREAS, in February, 1926, Dr. Carter Godwin Woodson, the Director of the Association for the Study of Negro Life and History, launched the celebration of Negro History Week; and

WHEREAS, throughout the nation, distinguished and honored people of African ancestry will be honored during Afro-American History Month;

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh, on behalf of all citizens of the City of Pittsburgh, shall recognize and observe the month of February as Afro-American History Month.

Which was read.

Mr. Robinson moved for approval.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

I'd like to add my congratulations to those of the mayor and of City Council in regard to Afro-American History Month. At this time, do any of the Council members feel disposed to make any remarks?

Mr. Robinson:

Mr. President, before I ask Mrs. Robin-

son from the University of Pittsburgh, who is a librarian in the Afro-American History section, and Dr. Edna McKenzie, who is the President of the local chapter of the National Association for the study of Afro-American Life and History to come forward, I would just like to mention that another distinguished Pittsburgher should have been included in both the proclamation and the resolution, and hopefully next year he will, that was the Honorable Paul Jones who served on this Council in a distinguished fashion. I think we would be remiss if we did not indicate that one of our former colleagues certainly deserves some recognition.

If I might, Mr. President, I would like to have Mrs. Robinson and Dr. McKenzie come forward so I may present them with these gold seal copies of the resolution and also ask the Mayor to come forward to present in person the proclamation and hopefully Dr. McKenzie will have some remarks.

Mrs. Robinson:

We certainly want to thank Mayor Caliguiri, Councilman Robinson and all of our City fathers for this proclamation, because, indeed, if America is to reach her great promise, and to maintain her position of leadership in the world, we must promote understanding and harmony among all of our citizens. This is best done with the promotion of the information about the participation of all American citizens in the growth and development of our great nation.

We want to thank you very much and to let you know that there are programs being held in our schools all over the City and to invite you to join in our community celebration of Afro-American History Month.

Certainly the Association for the Study of Afro-American Life and History welcomes you to join with us in our research, study and teaching of Afro-American History and in fact, the study of all minority groups to promote better understanding, and to, as we started out to say, see American reach its great promise. We can all do it together.

Dr. McKenzie:

I, too, want to thank the Mayor and Council for the proclamation and the resolution, and I would like to invite all of you to come to our seminar, The Association for the Study of Afro-American Life and History, Pittsburgh Branch. The seminar will be at the Hill House on Saturday, February 10, 1979 at 12:00 o'clock, Noon. We will serve lunch, lunch is free and after that the program. Thank you.

The Chair:

Again, our congratulations on Afro-American History Month. Thank you very much.

PRESENTATIONS

Mr. Bulls presented

No. 2639 Resolution providing for a contract or contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous services to conduct the City-County Identification and Information System Project; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2640 Resolution vacating Fall Street, between Hatzel Street and Asylum Street, in the Twenty-Sixth Ward of the City of Pittsburgh.

Also

No. 2641 Resolution providing for a contract/s or the use of an existing contract/s for the purchase of Traffic Signal Equipment for the Department of Public Works, Traffic Control Division, and providing for the payment thereof.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2642 Resolution providing for an Agreement or Agreements with Detwiler Associates, Pittsburgh for the planning, conduct and evaluation of a citizen participation conference in connection with the City's citizen participation plan and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 2643 Resolution providing for a contract or contracts with Frederic R. Harris, Inc. for the purposes of carrying out a study of public port development for the Port of Pittsburgh and providing for the payment thereof.

Also

No. 2644 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-F, Lot No. 1.

Also

No. 2645 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 7-B, Lot

Nos. 149 and 144; Block 22-K, Lot Nos. 22 and 30; Block 22-L, Lot No.9; Block 22-P, Lot No. 261.

Also

No. 2646 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cornelius J. Henderson, Jr. for the sale of Parcel 93 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2647 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin I. de Grasse for the sale of Parcel 27 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2648 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Julius Brown and Ilene Brown for the sale of Parcel 185 in the Twenty first Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2649 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Barbara Spears for the sale of Parcels 5a, 5b, and 5c in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2650 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert C. Kunkle for the sale of Parcel 222 in Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2651 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Oscar D. Coffman for the sale of Parcel 230 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No.2652 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Margaret Louise Culpeper for the sale of Parcel 184 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2653 Communication from Paul C. Brophy, Director of Housing requesting permission to attend annual meeting of Pa. Association of Housing and Rehabilitation officials, Harrisburg, Pa., February 12-14, 1979, at a cost not to exceed \$300.00, payable from 1978 Community Development Block Grant Trust Fund, Housing Department, Administration, CDHD (HD-78-13).

Also

No. 2654 Communication from Robert Lurcott, Director of City Planning requesting permission for Raymond Reaves to attend American Planning Association National Conference, Miami, FL, March 4-7, 1979, at cost not to exceed \$625.00, payable from Code account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2655 Resolution repealing Resolution No. 910, approved October 4, 1977, sale of property in the 5th Ward, 2101 Webster Avenue, Block 10-J-275, being a 2 sty, fra. hse. to Smith Watkins Post #2, Legion of Guardsmen. Reason is purchaser has failed

to comply with agreement in completing the sale. Hand money of \$600.00 is to be forfeited.

Also

No. 2656 Resolution providing for the filing of a petition for the sale of property, in the 5th Ward, being a 2 sty. fra. hse. on 719 Clarissa Street, Block, 26-P, Lot 135, to Gilda Lee, for the sum of \$750.00.

Also

No. 2657 Resolution providing for the filing of a petition for the sale of certain property being vacant lots on Juniper Street, 8th Ward, near 4712 Lorigan Street to Frank Principe for the sum of \$500.00. 26-H-70 - 19 x 47; 26-H-72-35 x 66; 26-H-74 - 42 x 66; 26-H-76 - 20 x 65; 26-H-78 - 40 x 60.

Also

No. 2658 Resolution providing for the filing of a petition for the sale of a vacant lot 22 x 95.63 on 4613 Lorigan Street, Block 26-H. Lot 338, in the 8th Ward, to Robert LeDonne and Paul J. Sciuillo, Tenants in Common, for the sum of \$450.00

Also

Mon. 2659 Resolution providing for the filing of a petition for the sale of property being a 2 sty. brk. hse. on 1048 Blackadore Street, Block 231-E, Lot 3, to Lillian S. Hampton and Raymond C. Giles, Tenants in Common, for the sum of \$3,200.00, in the 13th Ward of the City of Pittsburgh.

Also

No. 2660 Resolution providing for the filing of a petition being a vacant strip of land 12.15 x 82.96 on the dead end line in the rear of 5527 Kamin Street, Block 87-A, Lot 22, to Max A. Levine and Sandra Beck Levine, his wife, for the sum of \$200.00. In the 14th Ward of the City of Pittsburgh.

Also

No. 2661 Resolution providing for the filing of a petition for the sale of a 2 ½ sty. brk. hse. on 18 Marne Way, 19th Ward, Block

4-N, Lot 168, to Virginia L. Dirling and James B. Dirling, Joint Tenants with right of survivorship, but not as tenants in Common for the sum of \$4,000.00.

Also

No. 2662 Resolution providing for the filing of a petition for the sale of property being a vacant Lot 80 x avg. 167 on 521 - Sedan Way, Block 19-L, Lot 35, in the 20th Ward, to Anthony M. and Susan J. Carretta, his wife, for the sum of \$500.00.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2663 Resolution providing for the issuance of a warrant in favor of Boquet Construction Company, 4662 Old Boston Road, Pittsburgh, PA 15227, in the amount of \$4,857.00 in payment for the cutting and plugging of eight water lines and the use of unspecified pipe fittings furnished for the benefit of the City in connection with the water line installation, Centre Avenue from Kirkpatrick to Crawford Streets, City Controller's Contract No. 22548-F and providing for the payment thereof.

Also

No. 2664 Resolution providing for the issuance of warrant in favor of James C. Eastley, Inc., 801 Vinial Street, Pittsburgh, PA 15212, in the amount of \$1,590.00 in payment for the installation of two three-way oil solenoid valves furnished for the benefit of the City in connection with the rehabilitation of the boilers at the Ross Pumping Station, City Controller's Contract No. 23028, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 2665 Communication from John C. Miller, Director of Water, requesting interim approval of payment of \$3,800.00 for extra work in connection with rebuilding water

vault, rehabilitation of various streets and park roads, Controller's Contract No. 22888.

Also

No. 2666 Communication from John C. Miller, Director of Water requesting permission for Joy Marburger and Alex Gordon, Department of Water, to attend Membrane Filtration Workshop, Latrobe, PA, March 15, 1979, at a cost not to exceed \$50.00, payable from Code Account 1701, Miscellaneous Services, Administration Division, Department of Water.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2667 Resolution amending Resolution No. 1417, effective December 19, 1978, entitled: "Providing for a contract or contracts or the use of existing contracts for the purchase and installation of a new hand-rail for the electric walkway at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Also

No. 2668 Resolution providing for an Agreement or Agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof.

Also

No. 2669 Communication from Louise R. requesting permission for three Parks and Recreation staff members to attend Pa. Recreation and Park Society of Pa. Department of Community Affairs workshop on Budgeting. Monroeville, Pa. February 21, 1979, at cost not to exceed \$45.00, payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.

Also

No. 2670 Communication from Louise R. Brown, Director of Parks and Recreation requesting permission to appear before House appropriation Committee, Interior

Sub-Committee, regarding Urban Parks and Recovery Act, Chicago, IL, February 9, 1979, at cost not to exceed \$240.00, payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 2671 Resolution authorizing issuance of a warrant in favor of Edward W. and Merle W. Bailey in the sum of \$1,123.65 in settlement of claim.

No. 2672 Resolution authorizing issuance of a warrant in favor of Erie Insurance Group and Peter J. Kerchum in the sum of \$667.47 in settlement of claim for damage.

Also

No. 2673 Resolution authorizing issuance of a warrant in favor of Aetna Insurance Company and Daniel Lutsch in the sum of \$962.56 in settlement of claim for damage.

Also

No. 2674 Resolution providing for the issuance of a warrant to Wilbert Darling in the amount of \$1,454.47 in full settlement of the lawsuit for property damage, and providing for the payment thereof.

Also

No. 2675 Resolution providing for an Agreement or Agreements for consulting services in connection with pursuing public works projects, developing of other federal aid programs and monitoring federal legislation; providing for the payment of the costs thereof; and transferring \$30,000.00 from Code Account 1099-2, Overauthorized Salaries and Wages, Department of Personnel and Civil Service Commission, to Code Account 1017, Miscellaneous Services, Mayor's Office.

Also

No. 2676 Communication from Melanie J. Smith, Director of Personnel and Civil Ser-

vice Commission, requesting permission for Susan Carr, to attend Department of Labor conference on CETA Reenactment Regulations, Philadelphia, PA, February 12-15, 1979, at a cost not to exceed \$300.00, payable from CETA EOP Trust Fund.

Also

No. 2677 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Maureen Morrissey and Josephine Kenney, to attend Department of Labor conference on CETA Reenactment Regulations, Philadelphia, PA, February 12-15, 1979, at a cost not to exceed \$600.00, payable from CETA Trust Fund.

Also

No. 2678 Communication from John E. McGrady, Controller, City of Pittsburgh submitting the Net Debt and Remaining Debt Incurring Margin in accordance with Act No. 185, approved July, 1972 "Local Government Unit Debt Act" prepared as of December 31, 1978.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2679 Petition from residents of Pittsburgh submitted by the Pennsylvania Alliance for Jobs and Energy requesting a public hearing be held on the following items: 1. problem of families without utility service during cold weather. 2. fire caused by lack of gas service and heat at home on Race Street which resulted in the death of two children. 3. solutions to these problems to prevent future deaths.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne:

I know that it is going to take a period of time to schedule this hearing. I was just wondering if there is any idea now as to when this hearing could be held, or at least speed it up to the point where it would be useful with

regard to the winter weather. In other words, if we allow this thing to drag, the importance of the hearing would pass.

I move to set a hearing as soon as possible.

Mr. Lally seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2680 Report of the Committee on Finance for January 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2561

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Seventy-Four Thousand Five Hundred Dollars (\$74,500.00), in payment of emergency work performed for the removal of an overhanging boulder above East Sycamore Place, without previous authority of law, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2567

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James C. Eastley, Inc., in the amount of \$12,610.65 in payment for replacement of steam boiler at Leslie Playground, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2568

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of General Elevator Co., Inc., in the amount of \$560.00 in payment for extra work furnished for the benefit of the City in connection with renovation of elevators 5 and 6 in the Public Safety Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2582

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of John S. and Nellie R. Dzumela in the sum of \$2,775.00 in settlement of claim for damage."

Which was read.

Bill No. 2583

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of William Smith in settlement of claim for damage."

Which was read.

Also,

Bill No. 2584

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Boston Chatman in the sum of \$883.52 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2585

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$1,808.00 to be distributed in the following manner: Ted Encke, M.D. \$120.00, Mercy Hospital, \$138.25, John A. Caputo, Esquire \$732.20, and Herbert Petticord, Sr., on behalf of Herbert Petticord, Jr., a minor, in full settlement of lawsuit for personal injuries, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2586

A Resolution entitled, "Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$1,000,000.00 from Code Account No. 1099-2, an amount not to exceed the aggregate sum of \$135,300.00 from Code Account No. 1420 and an amount not to exceed the aggregate sum of \$380,000.00 from Code Account No. 1420-2 to CETA-T.2 Trust Fund and CETA-T.6 Trust Fund to pay wages and fringe benefits paid to CETA participants over authorized federal salary of \$10,000.00 per annum."

Which was read.

Also,

Bill No. 2587

A resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the

administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion."

Which was read.

Also,

Bill No. 2588

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Psychological Service of Pittsburgh for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations."

Which was read.

Also,

Bill No. 2589

A Resolution entitled, "Resolution providing for an Agreement or Agreements with local private-for-profit businesses, or non-profit organizations, to provide on-the-job training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2622

A Resolution entitled, "Resolution amending and supplementing portions of Section 1 of Resolution No. 1587 entitled, 'A resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1979,' passed in Council December 29, 1978."

Which was read.

Also,

Bill No. 2623

A Resolution entitled, "Resolution amending and supplementing portions of Page Nos. S-2, S-5, S-6, S-18, S-19, S-24, S-26, S-27, S-28, S-29, S-35, S-36, S-38, S-39, S-45, S-47, S-50, S-53, S-54.1, S-55, S-56, S-57, S-59, S-62, S-66, S-67, S-68, S-72, S-75, S-76, S-83, S-85, and S-87 of Resolution No. 1588 of 1978, entitled, 'A Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, passed in Council, December 29, 1978.'"

Which was read.

Mr. Stone:

Mr. President, I move to amend Bill No. 2623 by adding and supplementing pages S-3, Municipal Court, Traffic Court Section which presently reads:

Clerk Stenographer II, as needed, 10C 12

Shall be amended to read:

Clerk Typist II, as needed, 7D 12

Also,

Page SD-4, Department of Parks and Recreation, Bureau of Recreation, Senior Citizens Program, which presently reads:

Project Director I, 19G 12 \$18,430.00

shall be amended to read:

Project Director I, 22E 12 \$19,234.00

These are requests which were just submitted last week by the Mayor's Office, we have reviewed them and as far as we are concerned, have no objections.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 2624

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1978 to the same code accounts for the year 1979."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

Mr. President, I think it is appropriate at this time, I would like to introduce a motion to create a job classification, Valve Foreman, as needed without salary, because I would in no way infringe on AFSCME's right to represent, as a union, the people working here.

There is a problem with a first level foreman as to difference in salary. There are other people at the \$13,000 level and someone getting this job would be going into the \$16,000 level. I think we have to leave the salary blank, to be negotiated. But, we absolutely must have someone in this job classification. As you know, there were two job classifications that I was very concerned

about...one was the cross-connection control, which is the protection of our backflow, this is industrial waste or contaminated waste from hospitals or contaminated sources so they don't flow back into our drinking water and contaminate. We have in the budget an allotment for that job, I hope the contract will be negotiated to a supervisor's level and I would leave that with the union.

However, there never was a job created for or position available for a Valve Foreman. As I say, I am introducing a motion to create a job classification for Valve Foreman, as needed.

Would someone second that?

Mr. Givens:

Mr. President, on discussion, if I may, the Director of the Water Department this morning indicated that the individual who was doing the connection part was also doing the same work as the one who takes care of the backflow type of work. I would think that in doing one you do the other.

Also, I haven't received anything from this morning's indication that the Mayor was in favor of going along with this particular position, which was requested by him this morning.

Michelle Madoff:

Mr. President, I requested it from the Mayor, he didn't say that he wouldn't do it either, they were two separate jobs, I've spoken with Director Miller of the Water Department and they are two separate and apart jobs. For all of those who live in the downtown area, how many times have we had water leaks in the City because of valves not being handled properly, I think it is a very important job. Furthermore, the cost to the City, we are being penny-wise and pound foolish. We had six boilers blow up in people's basements because someone handling the valves didn't do it properly.

The same thing goes on this other department of the backflow. These are two vital jobs that should be handled by skilled supervisory people at a level of pay that should be

negotiated properly by the proper agency. I respectfully request that we deal with it.

Mr. Givens:

The backflow is the valve, right?

Michelle Madoff:

No, they are two separate jobs. The valve foreman is the job for which there is no classification.

Mr. Lally:

Valve Foreman? Why do we need a valve foreman, I don't understand. I think anybody who works in the Water Department would know what to do when a valve is stuck or not working right, if the gate is not opening or closing. I'm asking you why do we need a valve foreman?

Michelle Madoff:

My understanding in talking to Mr. Miller and in talking to people who have written papers on this particular thing for the Water Department, is that there are some defined expertise of those who have been doing it longer, for 15 or 20 years, who really understand what has to be done, and understands the system as opposed to sending out somebody new who just, as you say, turns on the valve and turns it off, it isn't really that complicated. It has to do with the pressure, if you turn it the wrong way at the wrong place it has impact down the line on pressure, and you really need somebody with expertise.

Mr. Lally:

If my memory serves me correctly, it was only last year, or '77 that Mr. Miller was trying to eliminate ten people in that department who were valve operators, and valve men, as they were called, in the budget. He was trying to eliminate them at that time, or we wouldn't permit this to happen.

Michelle Madoff:

I wasn't here...

Mr. Lally:

I know you weren't here.

Michelle Madoff:

No, I will tell you how I heard about this. I try to educate myself to the issues and the job, and someone came to see me discussing the problem of these boilers blowing up, as I didn't know about it, and discussing some of the problems with the fact that when you turn a valve the pressure it creates downstream or upstream, if you don't know what you are doing is cause and effect and this is an item that should be addressed. I then went to speak to Mr. Miller and he agreed with me. And, I think he has spoken to the Mayor and the Mayor has not said yea, or nay, as to whether he would fill the job, but I think it is important that we at least create it so that we can get it filled.

Mr. Lally:

Well, I think if it was that important, I think Mr. Miller would have certainly included it in his budget.

Michelle Madoff:

He did, we took it out.

The Chair:

What I have two problems with is one, proving the necessity and the other is even if you put it in there, the Mayor doesn't necessarily have to fill it, so it could be a futile waste of time. But if it is Council's pleasure to second the motion, then we will vote on it. There is a motion to create a Valve Foreman.

Mr. Coyne:

Mr. President, I would like to get something clarified. As far as the funding for the position, where do you propose that this comes from?

Michelle Madoff:

General operating expenses.

Mr. Coyne:

And you don't propose to put that money here for it now?

Michelle Madoff:

The problem with it, Councilman Coyne, is that the salary level that someone should come in at that job, that was given to me, would put him in a higher scale than all the other people in the union and I don't think that is my prerogative.

Mr. Coyne:

Well, then why isn't the proposal to put him in at a level where it would be acceptable to the union?

Michelle Madoff:

Well, I'm saying, as needed without a salary. Now, obviously there is somebody doing this job and I don't think you are going to hire somebody...I don't think there is going to be a new job created...I mean I think somebody is going to be put in charge of this and perhaps paid a little more to be a supervisor.

Mr. Coyne:

Okay, so what you are saying is the money could be placed next to the position so that you could hire someone. What you are doing wouldn't prohibit you from hiring someone if the Mayor found it necessary to hire someone.

Michelle Madoff:

Right, and I'm also saying that the salary, essentially, is being paid to somebody, but not as high as level as a supervisor would get. As I say, I don't think that is my prerogative to negotiate that.

Mr. Coyne:

Okay, well the other problem I have is this morning it was very clear in the Mayor's Conference Room that there was supposed to be a decision made as to whether or not it would be acceptable to put it into the budget and we haven't clarified that yet?

Michelle Madoff:

Well, my understanding was that the Mayor said to Mr. Miller, you were there, he said, I'd like to see you right after the meeting. Now, I truthfully do not know what happened, but I did ask the Mayor about it and he said they were reviewing opposition now. But, my understanding, and you will have to bear with me, it's my first budget, is that if we don't do it today, this is zero hour.

Mr. Coyne:

Well, that's right, and I would like to have had more of a clarification from the Administration as to whether they wanted this job put in or not. I mean, that problem was brought very clearly to the Council members this morning.

Michelle Madoff:

I've done it a number of times, as you know.

The Chair:

Another problem, if it is so essential to the safety, why did no one ever think of this before, I'm curious about that.

Michelle Madoff:

It was, and Mr. Miller did put it in the budget, but it was cut because it was not filled by the Mayor's staff at that time. I then went to speak to the Mayor and to see whether they were going to review it and as I say, this morning he was to see Miller, and I was away ill and I just don't know what happened.

The Chair:

Well, budget time or otherwise, if it was so important a position, I think by now somebody should be doing it, as you say, he may allow someone to do it who is already in-house and maybe change the title, but why as Director of the Water Department wasn't he aware of this before? Or why wasn't he working on it?

Michelle Madoff:

He was and it was in the budget, it was taken out because it wasn't filled.

Mr. Coyne:

Well, I think the fact that it was taken out of the budget indicates to us that the Administration felt it was not needed.

Michelle Madoff:

The Administration feels it wasn't needed, I feel it is needed.

Mr. Coyne:

Yes, you feel it is needed and quite possibly some members of Council feel that it is needed, but unless we get some commitment, as you said this morning, that it is going to be filled, I think it is futile to put it back into the budget after it remained vacant for such a long period of time.

Michelle Madoff:

But, if we don't, what happens. If it is in there and it doesn't get filled, that's one thing, but if we don't put it in, then they can't do it, is that correct?

Mr. Coyne:

That is right.

Michelle Madoff:

So I am asking, just to protect the public health and the safety that we put it in, if it isn't filled, we've lost nothing. If it is filled, at least we have the opportunity to have that position. To take care of the cost of the community because we don't have the best supervisory control over the valves and we are having terrible problems like six boilers blowing up. What more can I tell you, how would you like your boiler to blow up in your basement?

Mr. Lally:

Wait a minute now, we are getting a little confused with the six boilers blowing up Michelle, I can't...

Michelle Madoff:

Well, that's what happened.

Mr. Lally:

Well, a boiler didn't blow up because...

Michelle Madoff:

That is what I was told, they had the back pressure on the line it went into the basement and the boilers blew up.

Mr. Lally:

Someone has told you the wrong story.

Michelle Madoff:

Someone didn't have the valves right, you asked me and that is what I was told.

The Chair:

Can we get a second for the motion?

Mr. Bulls seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Michelle Madoff

Mrs. Masloff
Mr. DePasquale
(Pres't)

Ayes 6

Noes 4

(MR. GIVENS, MR. LALLY, MR. ROBINSON, MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative the motion was approved.

Mr. Coyne presented

No. 2681 Report of the Committee on Public Works for January 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2515

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977, as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379, effective December 12, 1978, entitled, 'Resolution approving 1976 Capital Improvements Project; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the cost thereof', by reallocating funds and creating a new line item."

Which was read.

Also,

Bill No. 2562

A Resolution entitled, "Resolution amending Resolution No. 640, approved August 2, 1976, effective August 18, 1976, entitled, 'Resolution providing for a Contract or Contracts for the reconstruction of Fifth Avenue from Bellefield Avenue to Highland Avenue (PW 76-15) and related waterline improvements (W 76-2); providing for the payment of costs thereof and providing for a Reimbursement monwealth of Pennsylvania, Department of Transportation,' by including a provision for decreasing the allocation for the Department

of Public Works allocation from \$2,460,000.00 to \$2,000,000.00."

Which was read.

Also,

Bill No. 2563

A Resolution entitled, "Resolution providing for a Contract or Contracts in connection with the demolition of the Fulton Street Footbridge; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2564

A Resolution entitled, "Resolution taking, using, appropriating and condemning certain property of Joseph Tedesco, situate in the Sixth Ward of the City of Pittsburgh, County of Allegheny, and Commonwealth of Pennsylvania, for the widening of Ruthven Street and other public purposes, and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 2564, I have a question, I believe that was just authorization, there was no dollar figure involved? Is that correct?

Mr. Coyne:

That is right.

Michelle Madoff:

I guess they didn't change it on the bill, because we had pointed that out.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2682 Report of the Committee on Planning, Housing and Development for January 31, 1979, transmitting sundry ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2470

An Ordinance entitled, "An Ordinance implementing Community Advisory Boards in District No. 5 and providing for the organization thereof."

Which was read.

Also,

Bill No. 2471

An Ordinance entitled, "An Ordinance implementing Community Advisory Boards in District No. 15 and providing for the organization thereof."

Which was read.

Also,

Bill No. 2472

An Ordinance entitled, "An Ordinance implementing Community Advisory Boards in District No. 16 and providing for the organization thereof."

Which was read.

Mr. Givens:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation". I move that the effective date on Bill Nos. 2470, 2471 and 2472, shall be the date on which they are signed by the Mayor so that these bills can be filed with the Bureau of Elections prior to February 13, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I would like to mention that today another bill was introduced for \$10,000.00 for a consulting firm to try to work with our neighborhoods to get various people to come out to attend some of the functional meetings of the Administration and to explain what is happening in city government. The three Advisory Boards that have been formed here today, the Administration was trying to have a series of Advisory Board Meetings, one of them which was last week. I think only eight people showed up for that particular meeting.

At this morning's discussion with the Mayor, and the introduction of this \$10,000 consultant fee, I so alluded to the fact that there are Republicans and Democrats and Socialists who are elected out there by party affiliation. And that this affiliation and party affiliation should be tapped. These people are elected by the people of their neighborhood to represent them in government. They are being ignored and I ask that this \$10,000 consulting fee be addressed in some part to that particular entity. They so indicated that the Committee people of the various party groups will in fact, be notified. I think this will be a step in the right direction to get our Committee system going the way it should.

The Chair:

I don't quite follow you when you say they are being ignored, who is ignoring

them? If there is no interest in the community neighborhood who's fault really is it?

Mr. Givens:

Well, this is the problem. There is a lack of communication between the community and the Administration if you want to put it that way, or between government itself. In other words, people are not participating the way they should. What we are trying to do is to make avenues of communication open. They have been closed. The committee system is one avenue that has been open for many, many, many years. I would like for that avenue to be re-investigated and re-opened by this Administration or any other administration, because these people are elected by the people in their neighborhood to help them with government and they have been denied to a certain degree that particular entity.

The Chair:

One of my problems is that there was a small pack of people who insisted on these changes in the Home Rule Charter and they got their changes through and even that group can't get interested anymore and the other groups never were. No matter what you do, you are not going to get them to participate.

Mr. Givens:

Well, this involved three different wards in the City of Pittsburgh, First, Second and Third Ward and parts of the Fifth, the Bluff Area out there.

Michelle Madoff:

Mr. President, I think Mr. Givens has a very good point. I don't think, the Mayor agreed this morning, I believe, and the people who are making the presentation, that there has been no direct communication with elected officials, be they of any party, to tell them that their specific meeting, and they are the representatives and it is a good avenue for funneling information back and forth from government to communities, and they did say they would notify them and I think that is a point well taken.

Mr. Givens:

They did.

Also,

Bill No. 2521

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marlene H. Ellis and Clarence W. Oden for the sale of Block 26J, Lots 236, 237, 239 and 320 in the Fifth Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2683 Report of the Committee on Supplies for January 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2494

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Carnegie Mellon University for reimbursement by the University of the cost of conversion of street lighting on Morewood Avenue between Fifth Avenue and Forbes Avenue."

Which was read.

Aso,

Bill No. 2540

A Resolution entitled, "Resolution amending Resolution No. 1418, approved December 19, 1978, entitled, 'A Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Replacement of Vacuum Sewer Cleaning Machine and High Pressure Jet Rodder Unit on Existing Chassis for the Department of Public Works, and for the payment thereof,' by increasing the amount of \$39,000.00 from \$36,000.00."

Which was read.

Also,

Bill No. 2580

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Nuclear Moisture Density Gauge, etc., for the Department of Supplies, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2684 Report of the Committee on Parks and Recreation for January 31, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2578

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost which is not to exceed \$30,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2579

A Resolution entitled, "Resolution authorizing and directing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from various public and private foundations and individuals, organizations and agencies for Special Parks' Programs, in the Department of Parks and Recreation, and to create a Special Parks' Programs Trust Fund, and to deposit all funds for said programs into said account; and providing for the payment of expenses in connection with the Special Parks' Programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 2685 Report of the Committee on Public Safety for January 31, 1979 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2560

A Resolution entitled, "Resolution providing for an Agreement effective January 1, 1979, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Police, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes: none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2565

A Resolution entitled, "Resolution adopting the Commonwealth's obscenity statute regarding obscene and other sexual materials and giving the Mayor of the City of Pittsburgh the authority to institute proceedings in equity."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, I don't know whether you got a copy of the legal opinion that I had promised I'd get from the young attorney who said he would look into the matter. I gave him a copy of the proposed Ordinance that Mr. Givens had provided us with and I would like to read just a couple of statements into the record if I may.

"The Superior Court of Pennsylvania has determined that language such as this in a bill of this nature would even preclude an Assistant State Attorney General from having the authority granted under the statute"

and it goes on...

"It is my opinion therefore, that while many of the problems alluded to by the Solicitor's Office have been deleted in the new bill, the nature and intent of the proposed Or-

dinance itself is pre-empted by the State Legislature's clear intention in its obscenity statute, not to be supplemented by municipal bodies."

Now, that was the point that I was making the other day. I want to go on record, I am a feminist, I deeply resent seeing women portrayed in the centerfold of Playboy as sex symbols as opposed to having brains, I am not a proponent of pornography, but I don't think the way to go about controlling what abuse there is is to try to legalize or legislate morality. You have to do it legally, we have to do it through ordinances, through zoning ordinances where for example, as I mentioned previously, and I would also like my statements of Wednesday's meeting where the representative of the Heinz Foundation had bought out two buildings where there were pornographic facilities and they are going to be made into living quarters or businesses, I think that is the way to proceed with this. I certainly want to repeat, Mr. Givens, I do not support pornography, I think we have to have a sense of decency in our homes and our houses of worship, pass it on to our children, they learn by example, I certainly do not want my vote to be misconstrued. I am opposing it simply on the basis that it just isn't legal.

MICHELLE MADOFF'S REMARKS FROM THE MEETING OF WEDNESDAY, JANUARY 31, 1979:

Mrs. Madoff:

The only comment that I would like to make Mr. Givens, is that we have had the pleasure of having Mr. Fosner come in and offer to buy the two pornographic facilities in order to clean up some of the area. However, I think the real route is zoning. I am just wondering, how can you legalize morality in this environment? The law is very, very difficult and I don't know if we can do it.

Mr. Robinson:

Mr. President, if I may, there seems to be a number of legal opinions as to whether or not the proposed legislation that Councilman Givens has introduced is in fact appropriate. I too have received some counsel on this. I think that it has become apparent to

be at least that we might want to consider whether or not it would not be appropriate for our City Solicitor to enter some sort of word in behalf of the City to make sure that the issue of pre-emption is indeed addressed. I believe it was Councilman Stone who suggested that this was one of the issues that could be touched by the court. I am not sure that it will be, and it would seem to me that if there is some question as to whether or not we are going to pre-empt it that we might be better off to hold up on any action on legislation until such time that we determine what the status of this issue is which is now under litigation.

Not only am I concerned about this because of the conflicting legal opinions, but I think this is a serious enough issue that we would not want to take any hasty action. Also, I can remember some time ago in these very Council Chambers, some of my colleagues cautioning me not to move too quickly with some proposed legislation because there was something being done at the state level. Either in the court systems or in the legislature. I think that point was well taken then, and hopefully my point will be well taken now, that we hold up and perhaps explore with our City Solicitor the possibility of filing some sort of a brief on behalf of the City of Pittsburgh to determine or to encourage the court to at least address the issue of pre-emption.

The Chair:

By any stretch of imagination, this Ordinance wouldn't ban the centerfold of Playboy Magazine would it?

Mr. Robinson:

I don't think so.

The Chair:

I've got to hassle with that. Next month they are going to have Bob Stone and I in the centerfold and nobody will buy the magazine.

Mr. Givens:

Mr. President, in regards to both of the comments made, yes there are legal opinions

on both sides. But, the state on this particular statute is silent on this obscenity statute, and the issue of state pre-emption there is no language in this statute, nor is there an overall issue of state control that would clearly show any intention that the obscenity bill be pre-empted by this particular statute.

Secondly, Justice Musmanno, who has been a forerunner in the State of Pennsylvania when it comes down to justice, especially when it comes down to dealings, in this city as well as the state. Especially in dealings with pornography, and he indicated that an act is alien as to any monopolistic domination and a municipal ordinance provided for a localized procedure which furthers the solitary scope of the act, the ordinance is welcome as an ally which shoots down that particular argument that they have been bringing up and reinforces into the field an attempt of the statute and its objectives.

Number three, in dealing with pre-emption and the Philadelphia particular ordinance, that was looked into, but that particular ordinance, because of its significant conflict between the statute and the Philadelphia ordinance in question, however, the appellate courts may not reach a pre-emption issue on that particular one. You say, why wait? It's been fourteen months that this has been before this Council, this particular issue. We could wait for the court decisions for years, and as the President of this Council so stated last Wednesday, it's about time we do something. All we are doing is giving the Mayor the power to protect our city and I submit that we have an affirmative vote on this ordinance.

Michelle Madoff:

I am going to abstain from voting on this ordinance because I don't feel that it is legal, I think that we ought to wait.

The reason I am abstaining as opposed to voting no is that I am not opposed to some regulation if it can be done legally without legislating morality, I've made my position clear, I think it is not legal, I don't think you are giving the Mayor the power, I think we ought to wait until we have a legal way to go.

Mr. Robinson:

Again, I want to state that I think we are perhaps moving hastily into a very serious area and I think Mr. Stone's comments concerning the possible legal ramifications are well taken. That we may embroil ourselves in a lot of legal controversy. While I recognize that the courts are taking quite a bit of time and the Council has taken quite a bit of time, I think that simply is reflective of the seriousness of the situation. I think anytime that we are considering infringement upon human liberties and human rights, we ought to take all the time that is available. While I have not particular objections in trying to exercise our legal prerogatives to create the kind of city we want and control the kind of businesses that we think perhaps are not providing us with the most positive image or input, I just feel that at this time it is unwise to proceed until we get some clear definition as to where we can act. As I did on Wednesday, I shall abstain from voting on this particular piece of legislation.

Mr. Stone:

Regarding Bill No. 2565, not desiring to be redundant on this issue, I request that my remarks of Wednesday be incorporated here and I shall vote no on this for the reasons stated.

MR. STONE'S REMARKS FROM THE MEETING OF WEDNESDAY, JANUARY 31, 1979:

Mr. Stone:

Members of Council if I may. Mr. Givens had Mr. Flynn call me on Monday and I spoke to him about this thing and asked him whether his legal opinion changed from the originally submitted bill and the one that is before us now. Mr. Flynn indicated to me that his legal opinion is still the same.

It is my impression that you had indicated where the State has acted, then there is some question where the local municipality could act. That presently is the subject of a Philadelphia case—while the language is that of one issue, am I correct?

Mr. Flynn:

This is one of the issues that the court can decide.

Mr. Stone:

The second issue is the question of language. Now, I had better interject at this point. Where Mr. Givens is indicating here, there is a supplemental matter that is the law in the Statutes of the Commonwealth of Pennsylvania. It covers the whole state. What he is doing is going over and above it so we are going to end out with two jurisdictions. As far as the merit is concerned, I don't find any fault with that. The City Solicitor indicated to him that he shouldn't go ahead with the opinion that I have read and I got the reading that the legal opinion seemed to be having a lot of replacements in it. It is new territory and we are going to have litigation over it, however, why should we pass a bill that is going to take us into court where there is a case there already?

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 6

Noes 1

(MR. STONE VOTING NO)
TWO ABSTAINING (MICHELLE MADOFF
and MR. ROBINSON)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2686

Report of the Committee on Lands and Buildings for January 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2533

Resolution authorizing the sale of property in the 16th Ward being vacant land on Cobden Street, Block 13-H, Lots 162-163-174-178-179-182, to Walter G. Artinger for the sum of \$9,050.00.

Which was read.

Also,

Bill No. 2535

Resolution authorizing the sale of property in the 20th Ward being vacant lots on Lakewood Street to Mary Way, designated as Block 20-L, Lots 43, 48 and 48, to Frank J. Ejzak and David Szczypinski for the sum of \$2,500.00. All lots 25 x 100 each.

Which was read.

Also,

Bill No. 2569

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny for one-half share not to exceed \$125,000.000 in connection with Cornice Repairs and Cleaning, City-County Building; providing for the payment of costs thereof."

Which was read.

Also,

Bill NO. 2570

Resoluition amending Resolution No. 1497, approved 12/22/78 for the sale of property,

5th Ward on 638-640-645 and 646 Kirkpatrick Street, Block 10-K, Lots 179-180-181 and 183 to The Rising Star Baptist Church. Reason for amendment is to insert in the first paragraph the sum of \$3,300.00. All else in Resolution No. 1497 shall remain the same and in effect.

Which was read

Also,

Bill No. 2571

Resolution providing for the filing of a petition for the sale of a 2 story brick house on 3605 Charlotte Street, 6th Ward Block 48-M, Lot 35-A, to Edward T. Marchewska for the sum of \$600.00.

Which was read.

Also,

Bill No. 2572

Resolution providing for the filing of a petition for the sale of a two story brick house on 175 Thirty Sixth Street, Ward Block 48-M, Lot 32 to Edward T. Marchewska for the sum of \$600.00.

Which was read.

also,

Bill No. 2573

Resolution providing for the filing of a petition for the sale of property in the 8th Ward being a 2 story frame house on 4718 Juniper Street, Block 26-H, Lot 67, to Dominic F. Santucci Associates for the sum of \$750.00.

Which was read.

Also,

Bill No. 2574

Resolution providing for the filing of a petition for the sale of a vacant lot 22 x 89 on 2426 Salisbury Street, 16th Ward Block 13-L, Lot 140, to Wallace J. Graczyk and Irene L. Graczyk, his wife, for the sum of \$150.00.

Which was read.

Also,

Bill No. 2575

Resolution providing for the filing of a petition for the sale of a vacant lot 48 x 48 on Larkins Way, Block 12-S, Lot 103, to Richard Shahan and Barbara Shahan, his wife, for the sum of \$250.00.

Which was read.

Also,

Bill No. 2576

Resolution providing for the filing of a petition for the sale of a vacant lot on 1316 Chartiers Avenue in the 20th Ward, Block 20-F, Lot 263, to Robert A. Bruno for the sum of \$1,000.00. lot size 25 x 100.

Which was read.

Also,

Bill No. 2577

Resolution providing for the filing of a petition for the sale of an irregular vacant lot 245 x 25.25 on 221 Pinecastle Avenue, Block 139-H, Lot 120, 32nd Ward to Gilbert S. Bilski and Constance A. Bilski, his wife for the sum of \$250.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes. none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff moved to approve the minutes of Monday, January 29, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, February 12, 1979

No. 7

Municipal Record

ONE-HUNDRED

TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Monday, February 12, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. dePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

ABSENT:

Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATION

Mr. Bulls presented

No. 2687 An Ordinance amending Section 2 of Ordinance No. 547, approved

February 16, 1911, entitled "An Ordinance Relating to the removal of snow and sleet from sidewalks; and providing penalties for violations thereof" by designating a Central Business District and increasing the fine therein.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2688 Resolution providing for the issuance of a warrant in favor of Cameron Construction Company, in the amount of Three Thousand Twenty-Five Dollars and Fifty Cents (\$3,025.50), in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Murray Avenue Bridge, and providing for the payment thereof.

Also

No. 2689 Resolution authorizing the reduction of the retained percentage from 10% to 3% on the Rehabilitation of Herron Avenue from Center Avenue to Bigelow Boulevard, Trumbull Corporation, Controller's No. 22726 and No. 22726-F, F.A.M. Project No. M7064(1).

Which were read and referred to the Committee on Finance.

Also

No. 2690 Resolution amending Resolution No. 1067, approved October 2, 1978, effective October 4, 1978, entitled "Resolution providing for a Contract or Contracts for the reconstruction of the Greenfield Bridge over the Penn Lincoln Parkway, PW 77-16, providing for the payment of costs thereof; and providing for a Reimbursement

Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing the maximum authorized amount from \$2,000,000.00 to \$2,003,000.00 for related waterline work; and providing for the payment thereof.

Also

No. 2691 Resolution amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, entitled "Resolution providing for the letting of contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the costs thereof", by including a provision for increasing the allocation for the Department of Public Works from \$300,000.00 to \$370,000.00 and providing for the payment of costs thereof.

Also

No. 2692 Resolution further amending Resolution No. 675 approved August 16, 1976, entitled, "A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976, providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account," AS AMENDED BY Resolution No. 747 of 1977, No. 1020 of 1977, No. 4 of 1978, No. 725 of 1978, No. 1333 of 1978 and No. 21 of 1979, by increasing the maximum aggregate authorized amount from \$14,169,000.00 to \$14,184,000.00 and by providing for the payment of the additional \$15,000.00 by increasing the amount of funds available from PR 77-25, and by amending Exhibit I to indicate the revised total funding.

Also

No. 2693 Communication from John E. Ruff, Director of Public Works, requesting interim approval of payment of \$12,000.00 for extra work in connection with reconstruction

of Forbes Avenue from Murray Avenue to Shady Avenue, Controller's Contract No. 22728.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2694 Resolution supplementing and amending Resolution No. 980, approved October 20, 1977, as amended by Resolution No. 157, approved February 24, 1978, entitled "Resolution providing for Agreement or Agreements with Community Action Pittsburgh to implement the Weatherizing Homes in Pittsburgh (WHIP)," by providing for authorization for the Mayor and the Director of the Department of Housing to enter into such agreement or agreements.

Also

No. 2695 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mentie Williams for the sale of Parcel 42 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2696 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mildred R. Shagam for the sale of Parcel 224 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2697 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard G. Green for the sale of Parcel 99 in the Twenty-First ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2698 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of

Pittsburgh and Carl Younger for the sale of Parcel 56 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2699 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald C. Reisdorf and Roberta Lee Reisdorf for the sale of Parcel 22 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2700 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Inez M. Muskelly for the sale of Parcel 170 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2701 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert L. Culligan for the sale of Parcels 32 and 33 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2702 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George Plutchok for the sale of Parcel 213 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2703 Communication from Paul C. Brophy, Director of Housing, requesting permission for 28 Department of Housing employees to attend state required Basic Red Cross Training Course beginning March 9, 1979 and every Friday thereafter, in groups of 5, Red Cross Building, Pittsburgh, at cost not to exceed \$200.00, payable from 1979 WHIP Special Trust Fund No. 1 Department

of Housing. Funds will be reimbursed by Commonwealth.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2704 Resolution repealing Resolution No. 345, approved August 13, 1974, which authorized the sale of property in the 17th Ward, on 642 Windom Street to Walter Maynosz for the sum of \$150.00. Purchaser neglected to complete the sale as per agreement and has since deceased. Requested that sale be cancelled and hand money of \$150.00 forfeited.

Also

No. 2705 Resolution providing for the filing of a petition for the sale of property in the 4th Ward, being vacant lots on 3526 Wakefield Street and on 3522 Whitney Street to Odessa Blanton for the sum of \$1,500.00. Block 29-G, Lot 201 - 25 x 100; Block 29-G, Lot 204 - 50 x 100.

Also

No. 2706 Resolution providing for the filing of a petition for the sale of property in the 5th Ward, being a 2 sty. fra. hse. on 708 Watt Street and 2 sty. brk. hse. on 710 Watt Street designated as Block 10-C, Lot 15 and 16, to Marjorie Moss for the sum of \$850.00.

Also

No. 2707 Resolution providing for the filing of a petition for the sale of a 2 sty. brk. and fra. bldg. with a store room on 636 Herron Ave. designated as Block 27-A, Lot 179, to Jeremiah James for the sum of \$4,200.00, 5th Ward.

Also

No. 2708 Resolution providing for the filing of a petition for the sale of property in the 5th Ward, being a 1 sty. brk. bldg. on 2039 Centre Avenue, Block 10-N, Lot 286, to Roberta Cole, Trustee for Frank Cole, Tracy Cole and Kimberly Terry for the sum of \$750.00

Also

No. 2709 Resolution providing for the filing of a petition for the sale of property in the 14th Ward, being a 1 sty. C.B. garage on 7118 Edgerton Avenue corner Selkirk Way, Block 126-L, Lot 320, to James A. Jerpe and Grace K. Jerpe, his wife, the sum of \$1,500.00.

Also

No. 2710 Resolution providing for the filing of a petition for the sale of property in the 17th Ward, being a vacant lot on 1311 Carson Street, Block 3-H, Lot 144, to Fred F. Flugger, for the sum of \$2,200.00. Lot size 20.09 x 96.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2711 Resolution providing for the issuance of a warrant in favor of The Supply Group, Inc., 6260 Broad Street, Pittsburgh, PA 15206 in the amount of \$550.20 in payment for the purchase of six hot water heaters for City of Pittsburgh (property owners) water customers, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2712 Communication from John C. Miller, Director of Water, requesting interim approval of payment of \$6,000.00 for extra work in connection with Rehabilitation of Sedimentation Basins Nos. 1, 2 and 3, Controller's Contract No. 23098-F.

Also

No. 2713 Communication from John C. Miller, Director of Water, requesting permission for Melvin Koedel, to attend seminar on Cross Connection, Andover, Mass., March 27-28, 1979, at a cost not to exceed \$175.00, payable from Code Account 1701, Misc. Services, Department of Water.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2714 Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Co. in the amount of \$143,819.80 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2715 Resolution providing for a contract or contracts for the furnishing and installation of partition walls and doors at the North Side Senior Citizen Center and providing for the payment of the cost thereof.

Also

No. 2716 Resolution providing for a contract or contracts for the construction of a new ballfield behind Sunnyside School, Stanton Heights, and providing for the payment of the cost thereof, in the Department of Parks and Recreation.

Also

No. 2717 Communication from Louise R. Brown, Director of Parks and Recreation, requesting permission to attend Urban Recreation and Park Alliance Convention, Los Angeles, California, March 3-6, 1979, at a cost not to exceed \$550.00, payable from Code Account 1801, Misc. Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2718 Resolution repealing Resolution No. 1156 approved October 13, 1978, entitled, "Resolution providing for the letting of a contract or contracts for the furnishing, delivery and installation of a Patient Monitoring System, for the Department of Emergency Medical Services, and for the payment thereof."

Which was read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 2719 Resolution providing for award of a contract for the operation of the parking concession at the Monongahela Wharf.

Also

No. 2720 Resolution transferring the sum of \$15,418.00 from Code Account Bureau of Police Communications Project (BPCP) in STF #2 to Code Account People Watching Out For People (PWOFP) in STF #2, Pittsburgh National Bank.

Which were read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 2721 Resolution providing for the issuance of a warrant to Maxine H. Dye in the amount of \$9,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also

No. 2722 Resolution providing for the issuance of a warrant to Nationwide Insurance Company Subrogee of Avala Construction Inc. in the amount of \$600.00 in full settlement of the lawsuit for property damage, and providing for the payment thereof.

Also

No. 2723 Communication from David L. Donahoe, City Treasurer requesting permission for George Jacoby, to attend Penna. Bar Institute training seminar on bankruptcy proceedings, University of Pittsburgh, April 5-7, 1979, at a cost not to exceed \$175.00, payable from Code Account 1063, Misc. Services, Department of City Treasurer.

Also

No. 2724 Communication from John McAllister, Manager, City Information Systems, requesting permission to attend 1979, ASPA National Conference, Baltimore, MD., April 1-4, 1979, at a cost not to exceed \$550.00, payable from Code Account 1043, Misc. Services, Information Systems.

Also

No. 2725 Communication from John E. McGrady, City Controller, submitting performance studies conducted on the Parking Tax and Amusement Tax operation of the Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 2726 Report of the Committee on Finance for February 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2618

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P. O. Box 10896, Pittsburgh, Pa. 15236 in the amount of \$4,198.11 in payment for extra work furnished for the benefit of the City in connection with the rehabilitation of Herron Avenue, City Controller's Contract No. 22726 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2625

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Public Services Mutual Insurance Company and Frank A. Reynolds in the sum of \$633.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2626

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of John N. Elanchko in the sum of \$705.00 in settlement of claim for damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2627

A Resolution entitled, "A Resolution providing for an Agreement or Agreements with The Arts and Crafts Center of Pittsburgh for the implementation of the Comprehensive Employment and Training Act Title III, Subpart 2 of the Youth Employment and Demonstration Projects Act of 1977 (YCCIP Youth Community Conservation Improvement Project) and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 2727 Report of the Committee on Public Works for February 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2598

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended by Resolution No. 82, effective February 17, 1977, as amended by Resolution No. 410, effective May 16, 1977, as amended by Resolution No. 632, effective July 21, 1977, as amended by Resolution No. 905, effective October 6, 1977, as amended by Resolution No. 1019, effective October 27, 1977, as amended by Resolution No. 1337, effective December 31, 1977, as amended by Resolution No. 82, effective February 27, 1978, as amended by Resolution No. 308, effective March 30, 1978, as amended by Resolution No. 1380, effective December 12, 1978, entitled, 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by redesignating projects authorized for the Department of Public Works."

Which was read.

Also,

Bill No. 2599

A Resolution entitled, "Resolution further amending Resolution No. 498, effective May 17, 1978, as amended by Resolution No. 804, effective July 27, 1978, as amended by Resolution No. 994, effective August 31, 1978, entitled 'Resolution providing for a Contract or Contracts of the utilization of existing Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing, asphalt planing and other work incidental thereto', by correcting the source of funding." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2600

A Resolution entitled, "Resolution providing for an Agreement with the University of Pittsburgh in connection with the reconstruction of Fifth Avenue in the 4th Ward, including a license for installation and maintenance of two (2) underground utility tunnels."

Which was read.

Also,

Bill No. 2601

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of catch basins at various locations in the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2602

A Resolution entitled, "Resolution taking, using, appropriating and condemning certain property of Robert W. DeLancey, 5816 Mifflin Road, situate in the Thirty-First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, for a public sewer easement and

other public purposes; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2728 Report of the Committee on Planning, Housing and Development for February 7, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2597

A Resolution entitled, "Resolution providing for an agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility located at 101 Bonvue Street, 26th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 2605

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agree-

ments with Opportunities Industrialization Center, Inc., of Pittsburgh for services in connection with the Minority Contractor Bonding and Assistance Program, and increasing the amount from \$250,000 to \$448,300."

Which was read.

Also,

Bill No. 2606

A Resolution entitled, "Resolution providing for a further supplemental agreement with the United States Bureau of the Census by amending the agreement between the parties authorized by Resolution No. 297, approved April 25, 1977, effective April 28, 1977, as amended by Resolution No. 429, approved April 26, 1978, effective May 1, 1978, by extending the term and increasing the sum to be reimbursed to the City as the cost thereof."

Which was read.

Also,

Bill No. 2642

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Detwiler Associates, Pittsburgh for the planning, conduct and evaluation of a citizen participation conference in connection with the City's citizen participation plan and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Ayes 8

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2729 Report of the Committee on Supplies for February 7, 1979, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2620

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for furnishing and delivery of Filter System for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 2621

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Oxygen Regulator, Medical Anti-Shock Trousers, Stretchers, Resuscitators, etc., for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Ayes 8

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 2730 Report of the Committee on Lands and Buildings for February 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2607

A Resolution entitled, "Resolution amending Resolution No. 564, effective May 30, 1978, entitled, 'A Resolution providing for a contract or contracts in connection with construction for the relocation of No.32 Engine Company, Department of Lands and Buildings, Project No. LB 76-2, and providing for the payment of the costs thereof' by increasing the maximum authorized amount from \$517,500.00 to \$627,500.00."

Which was read.

Also,

Bill No. 2608

Resolution repealing Resolution No. 154, approved 5/14/73 authorizing the sale of vacant lots on 105-109 Perry Street, Block 10-J, Lots 315-316 and 326 to Hill District Citizen's Community Action Development, Inc., who are no longer interested and request cancellation of sale. Hand money of \$275.00 to be forfeited.

Which was read.

Also,

Bill No. 2609

Resolution repealing Resolution No. 63, approved February 5, 1976 authorizing the sale of a 3 story brick house on 3329 Penn Avenue, 6th Ward, Block 25-D-92 to Larry Ginsburg for the sum of \$1,500.00. Reason for repeal is purchaser has failed to comply with agreement of sale. Hand money of \$150.00 to be forfeited.

Which was read.

Also,

Bill No. 2610

Resolution repealing Resolution No. 658, approved 7/18/77 which authorized the sale of a 2 story brick house on 5414 Kincaid Street Block 50-M, Lot 157, to Agrectec Development Corporation, Inc., for the sum of \$750.00, as purchaser failed to comply with agreement of sale. Hand money of \$100.00 is to be forfeited.

Which was read.

Also,

Bill No. 2611

Resolution amending Resolution No. 1471, approved 12/15/78, which authorized the sale of property in the 13th Ward being a vacant lot on Remington Avenue, Block 232-D, Pt. Lot 94, by deleting Plan Lot 32 and inserting in lieu thereof Plan Lot No. 2, to Arnold L. Dukes and Lawrencella W. Dukes, his wife, for \$750.00. All else in Resolution No. 1471 shall remain the same and in effect.

Which was read.

Also,

Bill No. 2612

Resolution providing for the filing of a petition for the sale of a 3 story brick house on 1729 Our Way, lot 20 x 53.75 Colwell Street between Vine and Dinwiddie Streets, Block 11-E, Lot 65-A, to Gwendolyn Hurt-Howze, for the sum of \$1,400.00.

Which was read.

Also,

Bill No. 2613

Resolution providing for the filing of a petition for the sale of property being a vacant lot 18.53 x 27.39 in the rear of S. Dallas Avenue Block 127-A, Lot 29, in the 14th Ward to Ralph J. Egerman and Dianne L. Wolfe, Tenants in Common, for the sum of \$150.00.

Which was read.

Also,

Bill No. 2614

Resolution providing for the filing of a petition for the sale of certain property being a vacant lot 61.5 x avg. 105 x 23.4 rear of 3102 Josephine Street, 16th Ward, Block 30-A, Lot 35, to Lucille M. Timco for the sum of \$800.00.

Which was read.

Also,

Bill No. 2615

Resolution providing for the filing of a petition for the sale of 2 vacant lots 25 x avg. 113.4 x 34.65 in the rear of 3228 Glen Mawr Avenue, Block 42-G, Part Lot 155, to Jeffrey D. Pleta for the sum of \$800.00.

Which was read.

Also,

Bill No. 2616

Resolution providing for the filing of a petition for the sale of a vacant lot 20 x 100 on 1524 Brighton Road, Block 23-J, Lot 6, to Fred Denig, Jr. and Isolde M. Denig, his wife, for the sum of \$750.00.

Which was read.

Also,

Bill No. 2617

Resolution providing for the filing of a petition for the sale of property in the 32nd Ward being a vacant lot 209.13 x 209.13 Maytide Street opposite the intersection of Ravilla Street, Block 138-C, Lot 89, to Tim M. Josephs and Stephen P. Fusco, Tenants in Common for the sum of \$2,500.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Bulls presented

No. 2731 WHEREAS, Mr. Harvey Adams has announced that he will retire this year from the Pittsburgh City Police Department and,

WHEREAS, Mr. Adams has served as a Pittsburgh Police Officer since 1955, and in 1967 was promoted to the rank of Sergeant; and

WHEREAS, throughout his career, Mr. Adams has received commendation for outstanding police service including his active participation in local community betterment programs.

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the Citizens of Pittsburgh, hereby recognizes and salutes Sergeant Harvey Adams for his 24 years of distinguished service to the Citizens of Pittsburgh, including his work in the Community Relations Section where he displayed sincere dedication in cultivating high social and moral standards in the communities; and wishes Sergeant Adams a rich and happy retirement.

Which was read.

Mr. Bulls moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

Mr. Bulls somehow tricked Mr. Adams into coming here today, he wasn't aware he was going to get some sort of proclamation.

Mr. Bulls:

First of all I'd like to say that in talking to the Members of Council, that this resolution was submitted by all of us. At this time I'd like Mr. Adams to come forth and pick up his resolution.

Mr. Adams:

I am really surprised, its very seldom that I am, and I am very grateful. It makes some of those long, lonely cold nights, makes it all feel worthwhile now. Thank you very much.

The Chair:

Harvey was accompanied here today by a couple of his close friends, Mrs. Carolyn Franklin and Mr. Ray Rucker. Nice to have you with us.

Also,

No. 2732 WHEREAS, the Pittsburgh branch of the National Association for the Advancement of Colored People, N.A.A.C.P., recently held elections for branch officers; and

WHEREAS, the N.A.A.C.P. was founded in 1909 and presently has over 500,000 members throughout the United States; and

WHEREAS, their primary objective is to achieve, through peaceful and lawful means, equal citizenship rights for all Americans by eliminating segregation and discrimination in housing, employment, transportation, voting, schools, the courts; and

WHEREAS, the N.A.A.C.P. is open to persons of all races and religions who believe in the principles and goals of the organization.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognizes and salutes the members of the N.A.A.C.P. for their growth and success in promoting unity, friendship and equal citizenship rights for all; and

BE IT FURTHER RESOLVED that the Mayor and this Council on behalf of the City of Pittsburgh, hereby extend congratulations to the newly elected branch officers, and special commendation to the late Homer Brown, Wilhelmina Brown, and their son, Byrd Brown, for their devoted effort in maintaining the high ideals, objectives, and goals of the organization.

Which was read.

Mr. Bulls moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Bulls:

Mr. President, I guess this is a day when Mr. Adams will be wearing two hats, so again, I would like him to come up and receive this resolution being the newly elected President of the N.A.A.C.P. I might add that he ran unopposed so that shows you the type of job he has done, either that or he is a hell of a politician.

The Chair:

Harvey, do you have the strength to come up again?

Mr. Adams:

I'm going to send Mrs. Franklin who is a staunch Board Member.

The Chair:

I just want to say while Mrs. Franklin is picking up the proclamation...I know I speak for all of Council, in wishing you as the President of the N.A.A.C.P. and the N.A.A.C.P. in general a happy and long reign, and you, Mr. Adams, may you have a

long and happy retirement. I think you deserve it.

Mr. Robinson presented

No. 2733 WHEREAS, the Peace Corps and Volunteers in the Service to America (VISTA) have made tremendous and significant contributions to the various Nations throughout the world and to the citizens of the United States of America; and

WHEREAS, both organizations are celebrating respectively, their seventeenth and fourteenth Anniversaries during the month of February; and

WHEREAS, the goals of the Peace Corps and Vista are to aid developing nations, promote better international understanding, alleviate social and economic ills and the empowerment of lower income citizens;

NOW, THEREFORE

BE IT RESOLVED that this Council and the Mayor, on behalf of the residents of this City, do recognize, honor and acknowledge the Peace Corps and Vista and designate the week of February 12 through 16, 1979 as PEACE CORPS/VISTA WEEK in the City of Pittsburgh.

Which was read.

Mr. Robinson moved for adoption.

Mr. Givens seconded the motion.

Which motion prevailed.

The Chair:

Congratulations to Vista and the Peace Corps.

Mr. Givens:

Mr. President, just one comment on the Peace Corps people...I had the opportunity when I was in many foreign countries to visit these people in action in the field, as a helicopter pilot I could get into those remote areas and I have to say if more young people today would serve in the Peace Corps I think we'd have a much better society because the

contribution that this particular group makes is something that we cannot pay in dollars and cents.

Mr. Givens presented

No. 2734 WHEREAS, February 14, Valentine's Day has been set aside as the special day on which Americans everywhere salute hospitalized veterans; and

WHEREAS, the traditional sentiment of Valentine's Day—caring, loving and sharing—combines easily with the Salute's theme—remembering and caring for our nation's hospitalized veterans; and

WHEREAS, enthusiastic public participation in the Salute, which grows larger every year, will instill a concern for hospitalized veterans that the Veterans Administration hopes will continue throughout the year; and

WHEREAS, "greater love has no man than this, that a man lay down his life for his friends",

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh recognizes February 14, 1979 as "National Salute to Hospitalized Veteran's Day."

Which was read.

Mr. Givens moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I received a letter from Ed DeLuca, our City Development Director, more or less challenging this Council and the City as well as the suburban community to have some type of a task force be joined together where we could work to strengthen the economic vitality of our area. It stems primarily from the KDKA program regarding the City-County cooperation right there wherein he has "The Day That Pittsburgh Disappeared" and I think we are all in receipt of that particular letter. I would like

this article to be incorporated into the municipal record.

THE DAY THAT PITTSBURGH DISAPPEARED

The historians later called it the greatest unexplained phenomenon in the history of the world. No one disputed their claim.

Imagine, one day there sat Pittsburgh, dynamic and bustling, one of the nation's great cities. The next morning was gone, having disappeared during the night without leaving the slightest smidgen of a clue behind.

Gone were the towering office buildings, the banks, the stores, the public utilities, the factories, the hospitals, the schools, the colleges and universities, the centers of culture, the stadium, the homes, the people, the churches, everything.

The suburbs were left untouched. But when early risers attempted to turn on the water, nothing happened. Neither would the electric lights turn on. Their battery-powered radios offered a hint of things to come. Only a handful of the radio stations were on the air, but there was nothing on their news tickers about what had happened during the night.

It was only when these suburbanites headed to their downtown jobs that they actually became a part of the nightmare. As they reached the city limits they suddenly were jolted by the scrub trees and weeds which stood where only yesterday had been a majestic city.

Panic followed.

By word of mouth, the news spread.
PITTSBURGH HAS DISAPPEARED!

Some of the less enchanged chorused,
"Good riddance!"

But masses didn't join in the chorus.

Those who went to their jobs in the suburbs found the doors of many establishments locked. Suburban manufacturing companies posted notices that their skilled engineers and scientists had resigned en

masse, leaving to accept their choice of other jobs in other areas. This was true of the steel plants and of most of the other job producers of the suburbs.

It took a few days for the original shock to wear off. Then came the mass exodus.

The young and talented pulled up roots and headed for other cities to seek their fortune. The displaced college students began knocking on other college doors, seeking admittance. Doctors and dentists packed up their tools and left. Anyone who could joined the exodus. Soon all that was left were the very old, the feeble, the untrained and the unskilled.

Within one year's time from "The Day That Pittsburgh Disappeared", the once prosperous suburbs lay prostrate. homes were boarded up and abandoned. The automobile had become the only means of transportation available. No longer was there the sound of jetliners or buses. The few stores that were left did little business. No one was moving in, only out.

In short, the once flourishing suburbs had taken on a desolate, decaying, and dying look.

There were acrimonious afterthoughts.

"Perhaps we had more stake in the well-being of the core city of Pittsburgh than we were willing to admit", some said.

But alas, it was too late to turn back.

On "The Day That Pittsburgh Disappeared", the suburbs became doomed to a slow but sure death. The umbilical cord which had fed them had been severed.

Oh, if only those people had understood that the fortunes of their city and their suburbs were inextricably tied together.

I would like to ask Mr. DeLuca through the City Clerk to be here not this coming Wednesday, but the following Wednesday to maybe talk to this Council in regards to how and where such a committee could be set up and could we in fact, gain any cooperation from such a committee.

I think Ed DeLuca did not take this lightly, and I do not take it lightly. As the Chairman here, I think there is a joint venture that we must go on to coordinate our activities. We do this in certain areas. A City-Countywide Corporation is one of them. There is some \$8 Million Dollars being disbursed both through the City and the County to various programs and many of them have been outlined in our Title 9 EDA Grant that we have before us. So, this is something that is very important and Ed DeLuca as I indicated is not a Director who would send a letter to this Council, the first of its kind without some type of at least, soul searching into this particular problem...if there is a problem.

The Chair:

Its not a matter that I care to go into, to great length, however, I have always thought that it was something similar to what came first, the chicken or the egg. This has been a long going battle between Cities and Counties, at least here in Pittsburgh and Allegheny County as to who should help who, which is more important...I think one depends on the other and the article that I read was originally, I think, was in the Atlanta Constitution, was pretty far fetched and stretching the point as to what would happen if a City would refuse to aide the County, and how the City would disappear and the County also. I have no objection to this article being incorporated into the minutes.

Michelle Madoff:

Mr. President, I would like to call something to the attention of Council and ask support in urging the Mayor's Office and the Department Heads to quickly fill the position of Valve Foreman, as needed. As you know, the other day, we put the job in with the understanding that it was our last opportunity and if we didn't do it, the job couldn't be filled, if we put it in at least we have the opportunity to fill it. I have since written to Mr. Vinnie O'Brien of AFSCME pointing out to him the importance of the job and this morning at the Mayor's meeting we addressed ourselves...

The Chair:

Pardon me for one second, I have to interrupt you, didn't we take a vote on this very matter last week, and how was it voted?

Mr. Lally:

Six to three.

The Chair:

Six to three to include the job and to urge the Administration to fill it?

Michelle Madoff:

Right, but I would like Council to urge and perhaps send a letter that it be filled. Mr. Lally very kindly agreed to speak to someone who had much more expertise, and Mr. Lally certainly has much more expertise than I'll ever have in that area. And while he, I believe at that time through a misunderstanding did not vote for it, I think his feelings have changed and perhaps he would like to comment.

Mr. Lally:

I questioned the job as a Valve Man, I didn't know what the position was needed for. I did speak to the fellow who is in charge of the valves in the Water Department and he explained to me the importance of a job like this. The importance of having somebody that is acquainted with the valves of the city, and of the streets, and where it could save the city many dollars due to the fact of water breaks and I think what Michelle is talking about is the fact that she thinks the job should be filled now, we should try to ask the Mayor to do this. I think the man is needed right now.

Michelle Madoff:

Thank you, this morning at the Mayor's meeting we introduced a bill for the next two weeks, I guess, two weeks from now, where the six hot water heaters...

Mr. Lally:

Yes, they were hot water heaters, not boilers.

Michelle Madoff:

Well, I call them boilers, I didn't know the correct terminology, I apologize, I think Mr. Lally didn't quite understand, and I don't blame him . .

Mr. Lally:

No, and I was kind of excited when you said boilers, they were hot water heaters in the cellars.

Michelle Madoff:

And the pressure was the reason that these water heaters blew up in homes and I think it is very important to fill the job. I wrote to Mr. Vinnie O'Brien and I would like this letter incorporated into the minutes of this meeting.

February 9, 1979

Mr. Vincent O'Brien
AFSCME
District Council 84
5 Gateway Center, Room 611
Pittsburgh, PA 15222

Dear Vinny,

There are two positions that I believe are of vital importance to the public health and safety in the Department of Water that must be filled. As of this date, there is a position in the budget titled, "Supervisor, Cross Connection Control" at a salary of \$13,027 for the first six months and \$13,627 for the next six months. I believe this is in keeping with the present salary scale in the 1979 Budget.

Cross Connection Control, in essence, is protecting water that is possibly contaminated from hospitals, nursing homes, industries and commercial sources from flowing back and contaminating potable water. So you can see my great concern.

The other position is for a "Valve Foreman—as needed". This position has not been filled as yet and the salary scale would possibly be the same as above; \$13,027 and \$13,627. The "Valve Foreman" is vital to our community because we had six water boilers blow up in people's homes because some inexperienced valve operator didn't know

what he was doing. It is not a simple matter of just turning a valve. One must understand pressures, the cause and effect of water pressures, which master feeler lines to shut down, etc.

The salaries as outlined for both positions would not be in line with the responsibility of a first-level supervisor.

IMPORTANT

Not wishing to usurp your prerogatives and that of the Union, I am, of course, leaving this matter in your hands to see that equitable salary arrangements are arrived at. Please call me if there's any further information you may require. Let me hear from you at your convenience.

Sincerely,

Michelle Madoff
MEMBER OF COUNCIL

MM/mah

Michelle Madoff:

As you can see by the last paragraph, it is my contention that these people are first level supervisors, they were not increased in salary, that is the two jobs, one of cross-connection control, which protects our potable water from back-flow of contaminated water and the other is the valve situation on pressure control. Both people have not received any increases, they will both be supervisors, and I thought it was important that these people stay with us, we have competent people and we not lose them.

Mr. Coyne:

Mr. President, I would like to address myself to that particular position. It was about two weeks ago that his was brought up in the Mayor's Conference Room as to whether or not Council would put that position in the budget, whether or not the position would be filled. You addressed that specifically to the Mayor as he sat there and that afternoon he was to get back with an answer as to whether or not it was going to be advisable to fill that. Have you had any answer from him yet as to whether he will or will not fill it?

Michelle Madoff:

He met with Director Miller right after the meeting. I spoke to him today at the meeting. As the item came up with the six boilers, so it was an opportunity to discuss it. They are doing a survey of all the jobs in the City to see that people are being paid adequately and if people are doing more work to get an increase. I felt that I didn't want to wait until the end of the year, I didn't think it was fair to these people who are taking on more responsibility to not be paid adequately and informed him of what I'm telling Council here, that I had sent the letter to Mr. O'Brien, that I had hoped he would move quickly to make suitable arrangements and pay them what they are worth at that point and not wait until the end of the year.

Mr. Coyne:

Well, that doesn't answer the question as to whether or not he intends to fill the job, the job is there at a salary that he can set, it only takes his initiative to fill that position. If you wait for a job study, or whatever kind of study they're doing now, that is only going to prolong it and it could be filled in the meantime

Michelle Madoff:

Well, your point is very valid, Councilman Coyne...

Mr. Coyne:

Well, the point I am trying to make is that either the Mayor is going to fill it or he is not going to fill it, its very clear.

Michelle Madoff:

Well, it isn't that cut and dried, Mr. President, the problem is there is somebody doing the job, but not getting paid, its like somebody running an operation and somebody being a clerk, the clerk is running the operation.

Mr. Coyne:

Well then why did we take the initiative to put the job in the budget if somebody is already doing it?

Michelle Madoff:

The Supervisor of the Department is one of the people who does do this type of work and should be put in a supervisory position.

Mr. Coyne:

Well, as far as I'm concerned, it is very clear, he is either going to fill the position or he is not going to fill the position. It is much like when Magistrate Penkower was up here before us and he indicated very clearly to this Council that there was another Magistrate needed in Magistrate's Court, if he took over the Chief Magistrate's duty. He said that by the end of January there was going to be a position or a recommendation to this council for someone to fill that position and that he indeed had recommended to the Mayor that this job be filled. Now, here we are at the middle of February and still there is no appointment forthcoming.

The Chair:

As in several other positions we have made requests to the Administration, the Mayor, and whether he is going to follow suit or not is beside the point. However, if Michelle Madoff wants to put that in the form of a motion to again pressure the Mayor to fill that much needed job as she said, a motion is in order.

Mr. Lally:

Mr. President, why would a motion be in order when it is already passed, we voted last week on this.

Michelle Madoff:

We voted only to put the job in.

The Chair:

Michelle, you are not convinced that what we did last week is going to move the Mayor, am I correct?

Michelle Madoff:

What happened is that last week we only put the position in so that if he was so moved to fill the job, he would have the job there.

The Chair:

With the request that the Administration fill the job, and your motion is quite similar to that, however, if you still would...

Michelle Madoff:

I don't recall that there was a motion to fill the job...

The Chair:

I would say that a motion is in order.

Mr. Robinson:

Mr. President, point of order, what is it that we are actually voting on, you mentioned something about a resolution.

The Chair:

I think we are voting to urge the Mayor to fill the position of Valve Foreman in the Water Department. A position which we included in the budget, but apparently the Administration to this date has not seen fit to fill it, or fill it, as needed.

Mr. Robinson:

I don't want to prolong this or to confuse it all, but I think Mr. Coyne's comments concerning the Magistrate are well taken. If we are going to request that the Mayor fill one position, then we should request that he fill all of the unfilled positions or vacancies particularly in those areas where this has been a subject of discussion and I think certainly the Magistrate's position is as important.

The Chair:

Well, I think I stressed that earlier when Mrs. Madoff made her motion that we have several jobs in there which we year after year, stress or plead with the Administration to fill and this is just another one of those jobs and apparently Mrs. Madoff thinks this may be the most important, I don't know. Maybe it is or it isn't, but the same time it would come under the category with all the rest, however, she did want to make the further motion on it and I think this should clear the matter up once and for all.

Mr. Coyne:

Mr. President, when the budget is drawn up annually, and for some of the Members of Council who have been here longer than others, that is a blueprint for the number of jobs it is going to take to perform the City's services throughout the year. Now, we all understand that at no time during the year can jobs be 100% filled or 97% filled, we understand that. However, when direct questions about particular jobs are put forth to the Administration and the Administration either vacillates about the need to fill that job, or doesn't give any direct answer about whether that job will be filled, then I think it is Council's role to urge that these jobs be filled. I am just pointing out that this is not Mrs. Madoff's first request to have this position filled. It is very simple, this Council is not going to be able to appoint an individual to that Valve Foreman's job, we are not going to be able to initially recommend someone to fill the Magistrate's job, that is initiative that is going to have to come from the Mayor. It just seems to me that when we sit down at these discussions at the Committee Table and are told by high ranking representatives such as the Magistrate that he indeed needs that position filled and has recommended it to the Administration, and that it would be forthcoming at the end of January, then I would expect that it would be the case. It is not the case in the Magistrate's position as it is not the case in the Valve Foreman's position.

Michelle Madoff:

Might I add that if Mr. Coyne were to introduce a resolution to have that particular job in the Magistrate's office filled to urge the Mayor, I would also support that.

Mr. Coyne:

Well, I don't think we have to resort to resolutions, we passed a Salary Resolution and a Budget that is sort of a spending blueprint and a job blueprint for the year. I would expect that when the Administration says that they are going to fill them as expeditiously as possible that this is going to happen. Well, it hasn't happened.

Michelle Madoff:

Are you opposed to my motion?

Mr. Coyne:

No, I am not opposed.

Mr. Bulls:

Mr. President, I would like to say that it is my duty as a Councilman to vote for a job, but it is the Mayor's responsibility to fill the job, so therefore, I will vote no on this motion.

Mr. Givens:

Hopefully, the Mayor will fill those 150 police officer positions also.

Mr. Lally:

I am going to vote for this, I will change my vote from last week, I had voted no, but now that I know what the job requires, I will vote for it.

Mrs. Masloff:

I, too will vote aye, but the Mayor's comment at this morning's meeting when this matter came up, was that he hopes that this is the worst thing that ever happens in this City, so I don't know that it is that urgent that he fill it...that was his comment.

Mr. Robinson:

I will vote aye, but I also feel that the urgency of the Magistrate's position is equally as important as this.

Mr. Lally seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Ayes 6

Mrs. Masloff
Mr. Robinson

Noes 2

(MR. BULLS AND MR. DePASQUALE-
VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Coyne:

Mr. President, for several years the Carrick Youth Baseball League has had access to a playing field in Carrick that recently was sold to Western Pennsylvania Water Company and the League is going to be without facilities unless some arrangement is made by the Department of Parks and Recreation to revise some other schedules of City fields that are in the 29th Ward. I would like to have Director Brown come up and address herself to that at a Post Agenda meeting on Wednesday and also the Westwood Citizens Council who had been looking forward to design work to be contracted for their swimming pool down there since 1977. This money is in the budget, has been in the budget, it is part of that huge surplus of CD money that is appropriated and the work that it is appropriated for has not been done yet and I would like for her to be here on Wednesday and address herself to that.

The Chair:

The Clerk is so ordered.

Mr. Givens moved to excuse Mr. Stone for absence from this meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the minutes of Monday, February 5, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to adjourn this meeting and meet again on Tuesday, February 20, 1979 at 2:00 P.M.

Mr. Robinson seconded the motion.

Which motion prevailed.

And Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Tuesday, February 20, 1979

No. 8

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAV Ass't City Clerk

Pittsburgh, Pa.

PRESENT: Tuesday, February 20, 1979

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 2735 Resolution authorizing the issuance of a warrant in favor of H.J. Schneider Construction, Incorporated, in the amount of Three Thousand Eight Hundred Thirty Seven Dollars and Seventy Five Cents (\$3,837.75) in payment for "Extra Work" in connection with the reconstruction of a sanitary sewer on Remington Drive, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also

No. 2736 Resolution authorizing the issuance and payment of a semi-final estimate to Burrell Construction in conjunction with the resurfacing of Various City Streets and Park Roads with Bituminous Materials, including Regrading and Recurring and other work incidental thereto, Controller's Contract No. 23391, and reducing the retained percentage from ten (10%) to one (1%) percent.

Also

No. 2737 Resolution authorizing the issuance and payment of a semi-final estimate to Domenic Parente Contractors, Inc., in conjunction with the Resurfacing of Various City Streets and Park Roads with Bituminous Materials, including Regrading and Recurring and other work incidental thereto, Controller's Contract No. 23392, and reducing the retained percentage from ten (10%) percent to one (1%) percent.

Which were severally read and referred to the Committee on Finance.

Also

No. 2738 Resolution amending Resolution No. 642, approved August 2, 1976, effective August 9, 1976, as amended by Resolution No. 94, approved February 17, 1978, effective February 27, 1978, entitled "Resolution providing for a Contract or Contracts for the reconstruction of Crane Avenue from Saw Mill Run Boulevard to Beechview Avenue (PW 76-16); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of

Transportation", by including a provision for decreasing the total allocation from \$2,534,000.00 to \$2,444,000.00.

Also

No. 2739 Resolution taking, using appropriating and condemning certain property of Morry J. Rosecrans, owner of Lot No. 15-J-300, situate in the Nineteenth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, for the opening and widening of Crane Avenue and other public purposes; and providing for the payment of the costs thereof.

Also

No. 2740 Resolution vacating a portion of Mend Way in the Eighth Ward of the City of Pittsburgh.

Also

No. 2741 Resolution vacating Range Way between Isabella Street and River Avenue in the Twenty-Second Ward of the City of Pittsburgh.

Also

No. 2742 Communication from John E. Ruff, Director of Public Works, requesting interim approval of payment of \$18,659.30 for additional work on Murray Ave. Bridge, Controller's Contract Nos. 23103 and 23103-F. Funds are available in Bond Fund No. 227-100, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2743 Resolution providing for an Agreement or Agreements with Pittsburgh Architects Workshop, Inc. for urban design services in connection with the City's Community Development Program and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lally and Michelle Madoff presented

No. 2744 And Ordinance authorizing the Director of the Department of Lands and Buildings to prepare a book containing list of City owned properties or properties for which the City is the agent for the three taxing bodies, which are released for sale.

Also

No. 2745 Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings to enter into an agreement or agreements for the placing of commercial newspaper display ads advertising sale of properties owned by the City or the City as agent for the three taxing bodies; and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Lands and Buildings.

Also

Mr. Lally presented

No. 2746 Resolution repealing Resolution No. 355, approved 5/11/77, which authorized the sale of property in the 4th Ward, being 2 lots on Forbes Avenue, designated as Block 11-L, Lots 163, 164 to John V. Adams, for the sum of \$4,200.00. Hand money being forfeited in the amount of \$420.00.

Also

No. 2747 Resolution providing for the filing of a petition for the sale of property in the 17th Ward, being a vacant lot on S. 13th Street, designated as Block 3-M, Lot 264, to George H. and Bonnie L. Christopher, his wife, for the sum of \$2,200.00. Size of Lot - 20 x 115.

Also

No. 2748 Resolution providing for the filing of a petition for the sale of a vacant lot on 807 Mayville Avenue, Block 61-B, Lot 29, to Joseph Colonna and Anna Colonna, his wife, for the sum of \$1,000.00, 19th Ward. Lot size 30 x 100.

Also

No. 2749 Resolution providing for the filing of a petition for the sale of property in the 19th Ward, being 3 lots on Sweetbriar Street, designated as Block 5-C, Lots 213, 214, 220, to Anthony and Theresa Kowalecki, his wife, for the sum of \$1,000.00. Size of Lots: (213) - 20 x 100; (214) - 20 x 100; (220) - 60 x 100.

Also

No. 2750 Resolution providing for the filing of a petition for the sale of property in the 28th Ward, Keever Avenue, being a vacant lot 40-R, Lot 216, to William J. Moore, for the sum of \$350.00. Size of Lot - 20 x 100.

Also

No. 2751 Resolution providing for the filing of a petition for the sale of property in the 31st Ward, being a vacant lot on Calera Street, designated as Block 135-D, Lot 28, to Peter J. Caruso and Sons, for the sum of \$1,500.00. Size of lot - 117 x avg. 76.42.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2752 Resolution authorizing the reduction of the retained percentage from 10% to 1% on Waterline Installation-Lawn Street/Mackey Street/Hodge Street/Wellsford Street/McCabe Place and Euler Way, Sciulli Brothers, Inc., Contract No. 2 - Department of Water No. WD 77-4, Controller's No. 23466-F.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2753 Resolution repealing Ordinance No. 693, approved November 17, 1975 entitled: "Authorizing the issuance of a warrant in favor of Michael R. Gentile for extra work in connection with the construction of the tennis courts at Mt. Washington Park."

Which was read and referred to the Committee on Finance.

Also

No. 2754. Resolution providing for the amendment of Resolution No. 1495 of 1978 and the authorization therein to purchase property at 3515 McClure Avenue, 27th Ward, commonly known as the Rebekah Home.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 2755 Communication from Louise R. Brown, Director of Parks and Recreation, requesting permission for William Mitchell, to attend Nutrition for Kids Conference, Carlisle, Pa., March 5-7, 1979, at a cost not to exceed \$200.00 payable from Special Summer Food Service Program Trust Fund.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2756 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Filter System for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2757 Resolution providing for the issuance of a warrant to David Dugan and Mollie Dugan, his wife, and Beverly Gerber in the amount of \$600.00 in full settlement of lawsuit for property damage, and providing for the payment thereof.

Also

No. 2758 Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Raymond Gary Brown in the sum of \$992.74 in settlement of claim for damage.

Also

No. 2759 Resolution authorizing issuance of a warrant in favor of Foss Rental Company in the sum of \$1,433.18 in settlement of claim for damage.

Also

No. 2760 Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Joseph Barone in the sum of \$540.31 in settlement of claim for damage.

Also

No. 2761 Resolution amending Resolution No. 1489 approved December 22, 1978 entitled "Providing for Agreement-/Agreements to obtain professional services for Data Processing Specialists or Consultants for purposes of technical assistance in the development of and evaluation of a Request For Proposal for Computer services for the City of Pittsburgh", by increasing the amount to \$15,000.00 and changing the appropriate Code Accounts chargeable to and payable from.

Also

No. 2762 Resolution providing for an Agreement or Agreements with Coopers and Lybrand, Thirty-Fifth Floor, 600 Grant Street, Pittsburgh, Pennsylvania 15219, for professional consulting services in connection with the development of a new capital project control system.

Also

No. 2763 Resolution providing for an Agreement or agreements for professional services of a CETA Hearing Officer as a

requirement of the grievance process under the Comprehensive Employment and Training Act Equal Employment Opportunity provisions; and providing for an Agreement or Agreements for court reporting services and preparation of transcripts of testimony to be taken of CETA grievance hearings; and providing for the payment of the costs thereof.

Also

No. 2764 Resolution authorizing the City Controller to engage the services of Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$5,000.00.

Also

No. 2765 Communication from John McAllister, Manager, Information Systems, requesting permission for Information Systems Manager McAllister and others listed therein to attend Association for Systems Management Seminar, Carnegie Mellon University, March 3, 1979, at a cost not to exceed \$270.00, payable from Code Account 1043, Miscellaneous Services, Information Systems.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2766 Communication from Al Benedict, Auditor General, Commonwealth of Pennsylvania, submitting audit report of the financial operations of the Policemen's relief and Pension Fund of the City of Pittsburgh, Allegheny County, pursuant to the Act of May 12, 1943, P.L. 259, as amended and Section 403 of the Fiscal Code.

Also

No. 2767 Communication from Al Benedict, Auditor General, Commonwealth of Pennsylvania, submitting audit report of the financial operations of the Firemen's Relief and Pension Fund of the City of Pittsburgh pursuant to the provisions of the Act of June 28, 1895, P.L. 408, as amended and Section 403 of the Fiscal Code.

Also

No. 2768 Communication N.C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority (ALCOSAN) submitting a list of the Authority's personnel as of December 31, 1978.

Which were severally read and referred to the Committee on Finance.

Also

No. 2769 Communication from East Liberty Chamber of Commerce requesting a meeting with City Council to explore means of bringing East Liberty back to being a viable community.

Which were severally read and referred to the Committee on Planning, Housing and Development.

UNFINISHED BUSINESS

The Chair presented

Bill No. 2770

February 14, 1979

President and Members of Council
510 City-County Building
Pittsburgh, PA

Dear President and Members:

I have line item vetoed item one of Bill No. 2624.

The legislation as written is technically improper. There is no unencumbered balance of \$200,000 available in Code Account No. 42 to carry over.

Very truly yours,
RICHARD S. CALIGUIRI

Which was read.

The Chair:

Is there any discussion on the veto?

Mr. Stone:

Relative to that veto, I think the comment is correct, I therefore move that we sustain the veto.

Mr. Robinson seconded the motion.

The Chair:

Is there any further discussion on the veto?

And on the question, "Shall the veto be sustained?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the veto was sustained.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2771 Report of the Committee on Finance for February 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2663

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bouquet Construction Company, 4662 Old Boston Road, Pittsburgh, PA 15227, in the amount of \$4,857.00 in payment for the cutting and plugging of eight water lines and the use of unspecified pipe fittings furnished for the benefit of the City in connection with the water line installation, Centre Avenue from Kirkpatrick to Crawford Streets, City Controller's Contract No. 22548-F, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2664

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James C. Eastley, Inc., 801 Vinial Street, Pittsburgh, PA 15212, in the amount of \$1,590.00 in payment for the installation of two three-way solenoid valves furnished for the benefit of the City in connection with the rehabilitation of the boilers at the Ross Pumping Station, City Controller's Contract No. 23028, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2671

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Edward W. and Merle W. Bailey in the sum of \$1,123.65 in settlement of claim."

Which was read.

Also,

Bill NO. 2672

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Erie Insurance Group and Peter J. Kerchum in the sum of \$667.47 in settlement of claim for damage."

Which was read.

Also,

Bill NO. 2673

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Aetna Insurance Company and Daniel Lutsch in the sum of \$962.56 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2674

A Resolution entitled, "Resolution providing for the issuance of a warrant to Wilbert Darling in the amount of \$1,454.47 in full settlement of the lawsuit for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2719

A Resolution entitled, "Resolution providing for award of a contract for the operation of the parking concession at the Monongahela Wharf."

Which was read.

Mr. Givens:

I'm a little bit concerned on the one bill in regards to the Mon Wharf, Bill No. 2719, and how that particular contractor was able to underbid everyone else by such a large margin, I wonder what he is going to pay his people. The increase in the parking down

there was not substantial and he only gets that same proportion of the shares of the revenues that other people would get, but yet, for some reason or other his bid was so high. I cautioned this Council and even myself as to the fact, how can he survive? Is he buying in on something and forcing other people out and then later on when the next year's contract comes in and we have no other people in this particular profession, and then be able to charge higher rates.

The Chair:

Mr. Givens, if I may, you make a very good point. In fact, I was going to make a suggestion that we recommit this bill. First of all, the previous person who had the lease down there, I don't know who it was, it was a Pittsburgher, he was very put out I understand, about losing it. Other parking so called "leaders" or "barons" feel that it should go to a Pittsburgher and they are very put out. I talked with a couple just yesterday...in fact, one had called me at home and I went to his office and he was very concerned and very put out. I don't think that we'd really be holding up progress or holding this bid up by looking into it a little further. Hopefully, the bid can be declared too high. It looks like he may not be able to make a dollar on this unless he charges a much higher rate, and I understand he anticipates to do that which is rather unfair to the residents of the City of Pittsburgh.

Mr. Stone:

Mr. President, in view of your remarks, I move that Bill No. 2719 be recommitted to the Committee on Planning, Housing and Development.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

Bill No. 2720

A Resolution entitled, "Resolution transferring the sum of \$15,418 from Code Account Bureau of Police Communications

Project (BPCP) in STF #2 to Code Account People Watching Out For People (PWOFP) in STF #2, Pittsburgh National Bank."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 2772 Report of the Committee on Public Works for February 14, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also with an affirmative recommendation.

Bill No. 2640

A Resolution entitled, "Resolution vacating Fall Street, between Hetzel Street and Asylum Street, in the Twenty-Sixth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2641

A Resolution entitled, "Resolution providing for a contract/s or the use of an existing contract/s for the purchase of Traffic Signal Equipment for the Department of Public

Works Traffic Control Division, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2773 Report of the Committee on Planning, Housing and Development for February 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2643

A Resolution entitled, "Resolution providing for a contract or contracts for the purposes of carrying out a study of public port development for the Port of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 2644

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority

of Pittsburgh to acquire all of the City's right, title and interest if any, in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-F, Lot No. 1."

Which was read.

Also,

Bill No. 2645

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest if any, in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 7-B, Lot Nos., 149 and 144; Block 22-K, Lot Nos. 22 and 30; Block 22-L, Lot No. 9; Block 22-P, Lot No.261."

Which was read.

Also,

Bill No. 2646

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cornelius J. Henderson, Jr. for the sale of Parcel 93 in the the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2647

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin I. de Grasse for the sale of Parcel 27."

Which was read.

Also,

Bill No. 2648

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by

and between the Urban Redevelopment Authority of Pittsburgh and Julius Brown and Ilene Brown for the sale of Parcel 185 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment of Area No. 27."

Which was read.

Also,

Bill No. 2649

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Barbara Spears for the sale of Parcels 5a, 5b and 5c in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2650

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert C. Kunkle for the sale of Parcel 222 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2651

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Oscar D. Coffman for the sale of Parcel 230 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2652

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by

and between the Urban Redevelopment Authority of Pittsburgh and Margaret Louis Culpeper for the sale of Parcel 184 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeable to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePesquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2774. Report of the Committee on Parks and Recreation for February 14, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2667

A Resolution entitled, "Resolution amending Resolution No. 1417, effective December 19, 1978, entitled, 'Providing for a contract or contracts or the use of existing contracts for the purchase and installation of a new hand-drail for the electric walkway at the Pittsburgh Zoo; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 2668

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 2775 Report of the Committee on Public Safety for February 14, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2639

A Resolution entitled, "Resolution providing for a contract or contracts for the furnishing and installation of equipment supplies, materials and miscellaneous services to conduct the City-County Identification and Information System Project; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2776 Report of the Committee on Lands and Buildings for February 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2655

Resolution repealing Resolution No. 910, app. 10/4/77, sale of property in the 5th Ward, 2101 Webster Ave., Block 10-J-275, being a 2 story frame house to Smith Watkins Post #2, Legion of Guardsmen. Reason is purchaser has failed to comply with agreement in completing the sale. Hand money of \$600.00 is to be forfeited.

Which was read.

Also,

Bill No. 2656

Resolution providing for the filing of a petition for the sale of property in the 5th Ward being a 2 story frame house on 719 Clarissa Street, Block 26-P, Lot 135, to Gilda Lee, for the sum of \$750.00.

Which was read.

Also,

Bill No. 2657

Resolution providing for the filing of a petition for the sale of certain property being vacant lots on Juniper Street, 8th Ward near 4712 Lorigan Street to Frank Principe for the sum of \$500.00. 26-H-70, 19 x 47; 26-H-72, 35 x 66; 26-H-74, 42 x 66; 26-H-76, 20 x 65; 26-H-78, 40 x 60.

Which was read.

Also,

Bill No. 2658

Resolution providing for the filing of a petition for the sale of a vacant lot 22 x 95.63 on 4613 Lorigan Street, Block 26-H, Lot 338, in the 8th Ward, to Robert LeDonne and Paul J. Sciallo, Tenants in Common, for the sum of \$450.00.

Which was read.

Also,

Bill No. 2659

Resolution providing for the filing of a petition for the sale of property being a 2 story brick house on 1048 Blackadore Street Block 231 E, Lot 3, to Lillian S. Hampton and Raymond C. Giles Tenants in Common for the sum of \$3,200.00, in the 13th Ward of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2660

Resolution providing for the filing of a petition being a vacant strip of land 12.15 x 82.96 on the dead end line in the rear of 5527 Kamin Street, Block 87-A, Lot 22, to Max A. Levine and Sandra Beck Levine, his wife, for the sum of \$200.00, in the 14th Ward of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2661

Resolution providing for the filing of a petition for the sale of a 2-1/2 story brick house on 18 Marne Way, 19th Ward, Block 4-N, Lot 168, to Virginia L. Dirling and James B. Dirling, Joint Tenants with Right of Survivorship, but not as Tenants in Common, for the sum of \$4,000.00.

Which was read.

Also,

Bill No. 2662

Resolution providing for the filing of a petition for the sale of property being a vacant lot 80 x avg. 167 on 521 Sedan Way, Block 19-L, Lot 35, in the 20th Ward to Anthony M. and Susan J. Carfetta, his wife, for the sum of \$500.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Lally presented

No. 2777 WHEREAS, the City of Pittsburgh is the engineering Capital of the World; and

WHEREAS, the American engineer is an integral part of our heritage; and

WHEREAS, his contributions are basic to the evolution of our way of life, responding to new opportunities and challenges to meet our ever changing needs; and

WHEREAS, this ability to anticipate and meet problems and requirements of the changing life patterns of this City, makes this year's National Society of Professional Engineers theme "ENGINEERS—PEOPLE BRINGING PURPOSE TO PROGRESS", an appropriate focus for this Renaissance City; and

WHEREAS, the City of Pittsburgh recognizes the accomplishments of its many notable engineers, such as Levi Bird Duff, former Director of the Works Department, County of Allegheny, a recipient of the 1978 Professional Engineers Distinguished Service Award; and

WHEREAS, the week of George Washington's Brithday, First Engineer of the Land, has been designated as ENGINEERS' WEEK,

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh does hereby proclaim the week of February 18 - 24, 1979, as ENGINEER'S WEEK throughout the City of Pittsburgh and expresses our appreciation for the achievements of those engineers who have done so much in bettering their Communities and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

Which was read.

Mr. Lally moved for approval.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Mr. Lally, Mr. Stone wants to know if George Washington ever chopped down a bridge?

Mr. Lally:

A lot of them are falling down Mr. Chairman.

Mr. Stone:

Yes, they seem to be falling a lot easier.

The Chair:

Mrs. Masloff, I wonder if you could enlighten your Council colleagues as to what is going on in the situation at the Zoo since we lost a gorilla. I understand it was a very serious loss to the zoo and they are in the process of trying to acquire another gorilla.

Mrs. Masloff:

Yes, it was a very serious loss and the Zoo Commission is now involved in trying to buy a Mr. and Mrs. pair of gorillas. The problem is that the Department of Environmental Services will not allow us to buy them until we have proper facilities for it and so the Zoo Commission has engaged a consultant to find a place to keep them that will comply with the rules of the Environmental. I understand that some private citizens are now engaged in fund-raising to buy a pair of gorillas at a cost of about \$50,000...that is how much gorillas cost because they are close to being extinct. That is how we stand on the gorillas, as soon as we find a place to keep them we are going to have a public drive to raise money to buy them.

The Chair:

I know you, like most Councilmembers have been asked by a lot of people just what the situation is on those gorillas and I figured you would know better than anybody else.

Mr. Robinson:

Mr. President, I just have three quick things I would like to share with Council. One

is a request that Mr. McAllister forward to Council the proposals which were submitted to him for the consultant work on setting up the Control System so that we have an opportunity to look at what specifically is being proposed and who is going to be doing the work.

The second thing is that last year, I raised a concern of \$40,000 was loaned to the Community Action Pittsburgh Winterization Program, that this money be returned to the City. Unfortunately that has not occurred and I think it would be appropriate to ask Melanie Smith who is one of the persons who was involved in that original transfer to be here for Post Agenda this Wednesday to determine if indeed the City is going to be reimbursed for that \$40,000.

The third thing, and perhaps the most important, as some members of Council know, a recent media presentation concerning the contract, or alleged contract between the City and Corsello Chevrolet for three vans has prompted not only news investigation but investigation on the part of the Administration and myself. I think that this situation unfortunately has cast some aspersions on Community Action Pittsburgh and also left some mis-impressions on the minds of the general public as to how the City of Pittsburgh does business. In the interest of the many problems that we have had in supplies, particularly with vendors feeling that perhaps we are not treating them fairly, I would like to ask that the following people be here Wednesday for a Post Agenda to get some clarification as to where we stand on this and also to address the liability of the City.

I would like to have Mr. Yatch who is the Director of the Department of Supplies, Mr. Sciuolo who is in the Mayor's Office, Mr. Deitrich who is with Community Action Pittsburgh, Inc., the agency that was going to utilize the vans, Melanie Smith and Mr. Walker who is the Director of Environmental Services who at some point authorized or at least recognized the need for these vans.

The reason that I am bringing this up again is that I do think that it is crucial that we perhaps understand what occurred in this situation and also how this impacts on our general concern for our purchasing and how

we conduct business in the City of Pittsburgh.

The Chair:

Thank you Mr. Robinson, the Clerk is so ordered.

Michelle Madoff:

I just want to point out before I touch on another matter, that I had requested a Post Agenda meeting tomorrow, I see Mike is not here today, I believe he is ill. The item is on occupancy permits and some problems we have had with that and some requests I've had from people in the neighborhoods and I just want to point out that sometimes in scheduling Post Agenda items, because you know, if we do have a lot of business, we don't get out until about 3:00 for lunch and its just something to consider. But I do think that it is a very important matter that we address, perhaps sometimes we should schedule things not Post Agenda, but on a Thursday or a Tuesday when we are free. There is another hearing that Mr. Lally and I are interested in on the title searches which I have asked that we don't have on a Post Agenda meeting because I think it might take some time.

The item I would like to touch on is that I would like to ask how I proceed if I may, from either Members of Council or our President. There is a very famous band that we have called the Carrick Band, it is 1,000 strong, people who play in that band. They are presently marching with the Canadian Flag and they don't have a Pittsburgh Flag. Now, while I was born in Canada and I think that's great, I think it would also be nice if they had a Pittsburgh Flag. I wonder if its in the purview of Council to find one for them.

The Chair:

At the present time, the City of Pittsburgh is all out of flags and have no funds to purchase or have new flags made. At least Marty down at the Department of Lands and Buildings has told me that, because someone else had inquired about a flag before. As far as the City of Pittsburgh presenting the Carrick Band with a flag right now, is out of the question, because we don't have the flags and don't have the funds to purchase new flags.

Mr. Lally:

Mr. President, I think flags are available from our Congressmen, there are flags that fly over the White House periodically.

The Chair:

I think you are talking about different flags, she is talking about a flag with the insignia of the City of Pittsburgh.

Mr. Lally:

Oh, the Pittsburgh Flag, I misunderstood.

Michelle Madoff:

Mr. President, I did call Congressman Moorhead's Office and they didn't have one and there are none available. I understand, I called Bunting and Mobaugh who are the people from whom you order flags and they have had an order from Lands and Buildings and from Louise Brown's Department and they think that there might be one say 3 x 5 which is the right size in the Department of Parks. I believe the cost was \$80.00 to the City. I did locate a flag this morning, it was brought over, it was 8' x 5' which is impossible and I got a buy on it for \$50.00, but it quickly went back because no one could carry it.

What I am asking really, is in order to introduce a resolution that the City purchase an \$80.00 marching flag for this band which I think they carry with pride to represent us, I think it is a very small investment.

The Chair:

Well, what happens here is that we have other High School Bands in the City, no doubt, who will want the flag if you give it to the Carrick City Band. I am not opposed to Carrick getting a flag, but you will have every High School in the City wanting one.

Michelle Madoff:

There are one thousand people in that band, Mr. President, I certainly think it is important...they go all over the country and I think it might be something that we would be very proud to do, to give them a flag, if not, I'm going to buy one, but I'd rather not.

The Chair:

I don't think it is a problem with passing a resolution, the problem is the City purchasing or gaining a flag, and unless my information is incorrect and yours is correct, right now, they are not in the process of buying any flags for the simple reason that they have no money.

Michelle Madoff:

Well, I spoke to Mr. West and he has a flag. Unfortunately it is also one of the big ones and we cannot use that for a marching flag. I am waiting for a call back from Louise Brown, I understand there is a purchase order, it was just filled as they say, at \$80.00 per flag for the Parks and Recreation. Perhaps we could purchase one or ask for one for Council to give to the Carrick Band, would that be in order?

The Chair:

I don't know the answer to this extent. Previously the City never gave flags to anybody. They loaned their flags for a parade or what have you. The City never got in the habit of giving flags because you have to realize how expensive it could have been if every group and every organization in the City said they wanted a flag. Therefore, they would loan you a flag, whatever flag they had for whatever affair, whether it be a parade, or what have you, so really I don't think the city is going to give these flags. Now, if we are going to pass some sort of special legislation so that this can be done in the future, that is something else.

Mr. Lally:

Mr. Chairman, it is a City School, it is Carrick High School, then the Board of Education should be able to give us a flag.

The Chair:

I would think, Jim, that those flags would come through the Board and from the Board. It is not a practice for the City to give flags, they just loan them.

Mr. Robinson:

Mr. President, perhaps I can explore with Mr. Yatch what if anything can be done

through our Supplies Department and what would be perhaps appropriate. I think Mrs. Madoff's concern is well taken, but by the same token there may be some restraint. I would be more than willing to explore that to see if there is some fund and perhaps with the provision that these are loaned as opposed to being given.

Michelle Madoff:

This gets back to your contention originally, Councilman Robinson, that we don't know, the right hand doesn't know where the left hand is. Purchasing didn't know that there were flags in Lands and Buildings and they didn't know there were flags in Parks, I only found out by calling the Company that they had remembered somewhere there was an invoice.

The Chair:

It might help also, Mr. Robinson, in finding direction as to how to go about acquiring or asking Council to pass legislation for those funds.

Michelle Madoff:

I would appreciate that.

Mr. Givens:

Mr. President, I have three items, one was a Post Agenda item for this coming Wednesday that was scheduled a week ago with Ed DeLuca, the concern of the City and the suburban communities here to see if some type of a council might be formed to overlook the economic and social and other impacts that happened within the City of Pittsburgh. That will be on the Post Agenda this coming Wednesday.

Secondly, I have communicated with Director Ruff, and I think the best way to do it is the letter of communication from Council right here, to Director Ruff, Department of Public Works regarding road surfacing material. My research has come up with some new inventive materials, etc., that are being used throughout the world in fact, and I would just like to address this especially when we get down to constructional bridges that are forthcoming in the GSA report that I had on the Post Agenda item about two

weeks ago wherein a bridge decking is supposed to last some 40 years and in reality it is only lasting five to seven years. That plus the hilly terrain and some of the treacherous curves that we have within the City that some of these materials could be used in the future, especially when mixed with asphalt.

Thirdly, during Budget Sessions, we discussed an actuarial study to be completed for municipal employees in regards to Veteran's service times and using that time credited to their pensions. Apparently, in that hearing that we had with the Municipal Employees and the Veterans, it was left dangling as to who was to conduct that Actuarial Report. I would like to have someone from the Mayor's Office, possibly from the Municipal Pension Plan to be here on a Post Agenda Item tomorrow to discuss this Actuarial Study and to get it under way as soon as possible. We have too many people who are being denied rights that all other employees of the City of Pittsburgh have.

The Chair:

Mr. Givens, two things, I think on the discussion in regards to the Actuarial Study on buying service time, I sat in at one meeting I think you are referring to and where I thought they left it was that the retired Teamsters were going to conduct some sort of study as to the ages and what have you, so they would bring that back to the Pension Board. If you say no, then I won't argue with you, but that is what I understood.

Mr. Givens:

I think it is incumbent upon the City of Pittsburgh in conjunction with other actuarial reports that have been done that one should be done, it should be done professionally, I don't think that any particular union should come in and say that they want this. I think it is all Municipal employees that are other than police and fire, have not been covered and I think it is incumbent upon the City of Pittsburgh to conduct this Actuarial Study as quickly as possible because it covers more than just one union.

The Chair:

Yes, it became a discriminatory issue because the police and fire have and not the Municipal employees, and the so-called union employees, and it is unfair, but what is holding it up right now, you have one thought and I have another. Regardless of what, I think we ought to get it moving.

The other thing, when you go into asphalt, this is a standing sore spot with me, I have told the Administration, and some of the people over there even worked with it at the same time I did, there is a mix called comax that Koppers has a patent on, and Koppers no longer makes it, the City doesn't buy it anymore because the City says it is too expensive. I think what you are talking about would be about three or four times more expensive as comax, and they don't want to go for that, so I can't very well visualize them going for the other mix.

You are saying that there is a solution, patches that last twenty years and I can verify, I can show them where they are and they won't go back to buying that material for some reason or other, or making it.

Mr. Givens:

This would be general in scope and the materials that are used on the road, the one particular one that I was referring to is one that has a chemical composition in it that is a defrosting item and it keeps our roads clear of ice and its wearing surface is equivalent to that of normal asphalt and it historically has been proven throughout Europe, Canada and even New York, that this is a tremendous new material that is being put out. I would just like our Department of Public Works to research it and come forward to this Council and let us know if during this year we can use this compound mixed in with our own asphalt in critical areas and especially in any new bridges that are being constructed because it cuts down on the corrosion and its a salt-free road down to 5 degrees above farenheit, 15 degrees centigrade which just about would cover everything we had this year so far.

The Chair:

Mr. Givens, part of the problem is, up until recent times, apparently potholes seemed

to be, shall we say, in the domain strictly of the City of Pittsburgh. I'm not saying other cities didn't have them, but they didn't have them nearly as large and as many as us. The story I always get is that it is due to our terrain and to our soil, which other cities fortunately don't have that problem.

However, there are a couple of cities that have experimented, I know New York for a fact, has a block type thing, it is purchased in blocks, and I know it is rather difficult, because every hole isn't the same size, but what they do is they square the hole off and fit this block in, the block is usually large enough to fit any hole, because the average hole is smaller than the block, so what they do is cut it so the block fits in there and it has worked rather well in New York, in fact I was on a demonstration there several years ago, but the City never saw fit to give that a try and there were some other cities who have some unique ideas which I think we should explore. Possibly we can get pamphlets on them and take a look at it. But, you are right, we have got to do something with the pothole problem, we've got to attack it vigorously and as soon as possible.

Mr. Bulls:

Mr. President, I would like to ask, not on a Post Agenda item, but perhaps on a Thursday or Friday morning that the members of Council would officially join myself and Michelle Madoff in requesting that the County Commissioners appear here along with Gordon Molyneaux to address themselves in regards to the Emergency Medical Services to see if we can get some assistance from them.

We have also reached a legal opinion...it is legal to charge people who use our services who live outside of the County. I think that is important to address ourselves to that problem.

Michelle Madoff:

We would also like a Blue Cross representative here.

The Chair:

The Clerk is so ordered. Before we adjourn, I would like you to know that the lovely

daughter of Jim Lally is here with us today, Michelle thank you for coming. We don't get too many cash paying customers here. We're almost as bad as the Pirates.

Mr. Lally moved to approve the minutes of Monday, February 12, 1979.

Mrs. Masloff seconded the motion.

And on motion of Mr. Robinson

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, February 26, 1979

No. 9

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Monday, February 26, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2778 Communication from Thomas J. Kennelly, Chief, Pittsburgh Fire Department, requesting permission for Capt. Nor-

man F. Sanner, Lt. Norman Lockard and Insp. Richard E. Schuette, to attend a Life Safety Code Seminar at Lexington, Kentucky March 19-22, 1979, cost not to exceed \$675.00 each, payable from Code Account 1463-1, Educational and Travelling Expenses, Department of Fire.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2779 Resolution authorizing issuance and payment of a Semi-Final Estimate to Cameron Construction Company, in conjunction with the reconstruction of the Murray Avenue Bridge over Beechwood Boulevard and the Penn Lincoln Parkway Ramp, Controller's Contract Nos. 23103 and 23103F, and reducing the retained percentage from 10% to 1%.

Which was read and referred to the Committee on Finance.

Also

No. 2780 Communication from John E. Ruff, Director of Public Works, requesting interim approval of payment of \$105,325.25 for extra work in connection with resurfacing of Fifth Avenue from Bellefield to South Highland, Controller's Contract No. 22697.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2781 Resolution amending Resolution No. 1549 of 1978 providing for the filing of an application by the City of Pittsburgh with

the United States Department of Housing and Urban Development for a grant in connection with 1979 Community Development Block Grant Program so as to reallocate funds in the amount of \$50,000.00 from the Department of Public Works Project No. DPW-79-11-Bridge Painting, to Project No. DPW-79-01 Citywide Resurfacing, increasing said amount from \$1,500,000.00 to \$1,550,000.00.

Also

No. 2782 Resolution amending Resolution No. 1267 of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution No. 829 of 1978, as amended by Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978, entitled "Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program," so as to transfer Community Development Administration funds from the City Treasurer's Salaries line item, in the amount of \$85,000.00, to the Planning Department Salaries line item, which will increase this amount to a present line item total of \$215,000.00.

Also

No. 2783 Resolution providing for an Agreement with the Allegheny YMCA of Pittsburgh for the renovation of the interior and exterior of existing multi-service facility located at 600 West North Avenue, Twenty-First Ward, City of Pittsburgh.

Also

No. 2784 Resolution providing for a Second Supplemental Agreement with the Housing Authority of the City of Pittsburgh for architectural and engineering design for the renovation of a multi-service building at 930 Cresswell Street, St. Clair Village, extending the term of the Agreement from June 30, 1978 to December 31, 1979.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2785 Resolution creating a special trust fund for Maintenance of city-owned lots; transferring to said trust funds \$15,000.00 from Rents City Owned Property Trust Fund; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Finance.

Also

No. 2786 Resolution amending Section 1 of Resolution No. 1073, effective November 16, 1977, entitled: "Resolution providing for an Agreement or Agreements with the County of Allegheny for the conversion of the D.C. Electrical System, City County Building, and providing for the payment of the same" by reducing the project allocation.

Also

No. 2787 Resolution amending Resolution No. 586 of 1976 as previously amended by Resolution 821 of 1976 by increasing the amount provided for the rehabilitation of fire stations; providing for an agreement or agreements for professional consulting services in connection therewith; and providing for the payment of the cost thereof.

Also

No. 2788 Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizens Development Corporation, a non-profit organization, for the renovation of the First Floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizens Center and a limited purpose Credit Union, and providing for the payment of the cost thereof.

Also

No. 2789 Resolution providing for a contract or contracts for the purchase and installation of an air-conditioning system, Council Chambers; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Lally :

Mr. Chairman, I hope my fellow colleagues realize now that we are finally going to air-condition City Council Chambers after all these years.

The Chair :

It's about time.

Michelle Madoff:

Is that after we get the \$10,000 for the land sale?

Mr. Lally:

No, it is not after we get the \$10,000.

Michelle Madoff:

I asked for some money from the Code Account, they said take it from our air-conditioning fund.

Mr. Lally

Mr. Perry will make the different.

Michelle Madoff presented

No. 2790 Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of \$481.40, in payment for emergency repairs to one hi-speed saw for the Department of Water and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 2791 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Bleachers and Park Benches for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2792 Resolution transferring the aggregate sum of \$80,000.00 from Code Account 41, Refunds - Real Estate Tax, to Code Account 46, Judgments, and Code Account 47, Interest on Judgments.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 2793 Resolution providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward, from April 1, 1979, for a term of one year at a rental of \$630.33 per month, to house the operation of the City CETA Youth Program, upon certain terms and conditions; and providing for the payment of the cost thereof.

Also

No. 2794 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Susan Carr, to attend Department of Labor Conference, Washington, D.C., March 7, 8, 9 and 10, 1979 at cost not to exceed \$300.00, payable from CETA Trust Funds.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2795 Petition from residents from Beechwood Boulevard and surrounding areas in the 14th Ward requesting a hearing before Council to discuss lack of enforcement of certain City Ordinances.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2796 Report of the Committee on Finance for February 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2675

A Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services in connection with pursuing public works projects, developing of other federal aid programs and monitoring federal legislation; providing for the payment of the costs thereof; and transferring \$30,000.00 from Code Account 1099-2, Overauthorized Salaries and Wages, Department of Personnel and Civil Service Commission, to Code Account 1017, Miscellaneous Services, Mayor's Office."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Coyne:

Mr. President, I would like to say that I intend to vote no on this bill, this is the bill for the consulting contract for the lobbyists in Washington, and for the reason that six years ago when we decided that we needed to have lobbying help in Washington and Harrisburg, Council agreed to put in the budget the position of Intergovernmental Relations Specialist to do that work. We presently have a job allocated in the budget for \$31,000 to perform that type of work, unfortunately that has not been the role of the person who has held the position.

The other thing is that I am reluctant to share someone who we are going to pay \$30,000 or up to \$30,000 per year with another organization like the U.S. Conference of Mayors who is in Washington. I think we ought to have a full time representative. We just got done paying \$28,000 for membership

in the U.S. Conference of Mayors, the National League of Cities and the Pennsylvania League of Cities and I think that this is a duplication of effort and for that reason I shall oppose Bill No. 2675.

Mr. Stone:

I believe the concerns and remarks of Councilman Coyne are valid, I have this problem however, and that is the timeliness. The Administration indicates that the particular individual has gotten us a return worth that kind of money. I think to change at this time...can the Administration change its course between now and budget time, I question that, and I am inclined only because of the timing to permit them to do it that way this year. But, I think that this should be addressed at our next budget hearing.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes 2 (MR. COYNE AND
MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2688

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Cameron Construction Company, in the amount of Three Thousand Twenty Five Dollars and Fifty Cents (\$3,025.50), in

payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Murray Avenue Bridge, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Nones none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2689

A Resolution entitled, "Resolution authorizing the reduction of the retained percentage from 10% to 3% on the Rehabilitation of Herron Avenue to Centre Avenue to Bigelow Boulevard, Trumbull Corporation, Controller's No. 22726 and No. 22726-F, F.A.M. Project No. M7064(1)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Nones none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2711

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Supply Group, Inc., 6260 Broad Street, Pittsburgh, PA 15206 in the amount of \$550.20 in payment for the purchase of six hot water heaters for City of Pittsburgh (property owners) water customers, and providing for the payment thereof."

Which was read.

Michelle Madoff:

In regard to Bill 2711, I would just like to point out to the Council-members that the \$550.20 for the six hot water heaters are for purchase only. That does not include installation. This gets back to my request to be sure to have a Supervisor of Valves. I'm going to keep hounding on it until we get that job filled.

Also,

Bill No. 2714

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Co. in the amount of \$143,819.80 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2719

A Resolution entitled, "Resolution providing for award of a contract for the operation of the parking concession at the Monongahela Wharf."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

Mr. Chairman, relative to Bill No. 2719, if you will recall, one week ago there was some discussion about this bill, it was referred back to committee and as a result of the discussion, I requested of the City Solicitor on behalf of the City Council a legal opinion and I have received the same. I think everyone has a copy of that. He has indicated that it was under a bidding process, that it should be awarded to the highest responsible bidder.

There was some concern expressed by Councilpersons at the Wednesday meeting

about this matter and if I may just somewhat crystallize what those criticisms were.

It is my understanding that the Wharf is to close for repairs and what effect the consequential results that may add to the Wharf, the operator, to the other businesses on that Wharf was a question.

There is a matter of the concern of increased parking fees. One, that it be increased by the Treasurer, but I think the thing that was important was the wisdom of any increase because that is outer-rim, so to speak, parking and in trying to get people to park there.

Secondly, what if any effect that might have on the income to the City of Pittsburgh by what the increase would do to the incidents of businesses which are there as well.

The last one was that of an out-of-City supplier of services as opposed to a City supplier and relative to APCOA, they presently I believe have the Civic Arena but it is too early yet to test that track record in this City.

The City supplier. . . Donahoe has indicated there have not been any problems at all, that during the entire year they were somewhat shocked relative to the result in the bidding.

Now if I may, for some comments. Those were the comments expressed at the table at that time. The City Solicitor seems to indicate, and I subscribe to that one, that under the present status of the contract, if you are to award it, you could not go to anyone other than the highest responsible bidder. He indicates another choice is that you could reject all bids and re-advertise the contract. For me personally, I am inclined to seek the latter alternative for the following reasons: I am concerned deeply about what effect the closing of this Wharf would have. Obviously if a good portion of it were closed, and while there is a pro-rata reduction in the obligation, nevertheless, it is a business deal and for an out-of-towner, that concern might be very great. If it weren't quite enough, then would that likewise result in some problems, if it went as it possibly could since Penn DOT is involved, in excess of ninety days as well.

Relative to the at least, next bidder, who had been heretofore the highest bidder, that individual supplier of service has some other needs and just can't leave there. I personally think that we ought to consider this matter in view of the total circumstances. I personally am very fearful that any raise there can cause us more problems, and while it looks like we're getting money, I think the natural consequences of raising the parking tax might at the same time result in some loss of revenue elsewhere. I just expressed this in advance to everyone and everyone will vote on it when it comes time to vote.

The Chair:

Were you making a motion to recommit?

Mr. Stone:

No, there is no need for a recommitment, at this time your alternative is to vote for it or to reject it and then after that there would have to be a motion to re-bid.

Mr. Givens:

I'd just like to add some points, for example, this thing has been under way for about twenty-one years. They are paying \$2.00 a day down there to park and the parking facilities accomodate about 750 or some people. After around five o'clock or so, most of the people who work in town depart from the Wharf. After that period of time under the present contract, the parking goes down to \$1.00 for example. And even at \$1.00, to accomodate the businesses that are on that Wharf, they generate over \$70,000 after five o'clock, p.m. When you add all this up for 1977 taking in the Mon Wharf, the Parking Tax, the Pittsburgh Amusement Tax, the Wage Tax, Occupation, Mercantile and Business Privilege, that total contribution down there was \$378,000 in '77 and to show you its increasing because of the businesses down there on the Wharf, in 1978 it increased to \$396,000 almost \$400,000. I'd just like to bring those points out. Thank you.

The Chair:

I'd just like to make one statement, in the future, I think we ought to do this with all out of town business that get the high or low

bid here in Pittsburgh because there is so much work we've been losing and we have these out of towners come in and just take business away and take jobs away and I think this is wrong.

Mr. Coyne:

Mr. President, along those lines, when contracts like this are coming up for consideration of Council, I think it would behoove the Administration to prepare them and get them to Council at a time that would allow us more time to deliberate the subject.

The Chair:

I think there ought to be some limitation also, Bill, as to which are out of towners and which aren't, because this could have slipped through. Mr. Lally brought it to my attention, I didn't realize who the firm was.

Mr. Lally:

Yes, when it first appeared here in Council a couple of weeks ago, this was when I first noticed it was an out of town outfit. They have taken two or three of them.

Is there any provisions, Mr. Stone, that you could have wording in the contract that they have to be from the City of Pittsburgh?

The Chair:

Legally, I doubt if you can do that Jim.

Mr. Stone:

I'm at a loss to go that far.

Mr. Lally:

They do that in New York and we're not allowed to bid on jobs in their state.

The Chair:

Yes, but they are probably covered by law.

Parliamentarian:

Would you like me to check on that?

Mr. Lally:

Yes, would you do that?

Mr. Robinson:

Mr. President, if I'm not mistaken, we are within our legal bounds to negotiate these types of contracts as opposed to sending them out to bid. We would therefore get proposals and those proposals would have to meet certain specifications and one of those could be the suggestion Mr. Lally came up with. These contracts need not be bid, they can simply be negotiated.

Mr. Stone:

Once you bid them they have to go to the highest bidder.

Mr. Robinson:

Right.

Mr. Lally:

Well maybe Mr. Robinson's idea is good.

Mr. Stone:

I'll check with the City Solicitor later.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes NONE

Noes NINE

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Stone moved to re-advertise for a contract for the operation of the parking concession at the Monongahela Wharf."

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 2721

A Resolution entitled, "Resolution providing for the issuance of a warrant of Maxine H. Dye in the amount of \$9,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Which was read.

Also,

Bill No. 2722

A Resolution entitled, "Resolution providing for the issuance of a warrant of Nationwide Insurance Company subrogee of Avala Construction, Inc., in the amount of \$600.00 in full settlement of the lawsuit for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2797 Report of the Committee on Public Works for February 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2690

A Resolution entitled, "Resolution amending Resolution No. 1067, approved October 2, 1978, effective, October 4, 1978, entitled, 'Resolution providing for a Contract or Contracts for the reconstruction of the Greenfield Bridge over the Penn Lincoln Parkway. PW 77-16, providing for the payment of costs thereof: and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the maximum authorized amount from \$2,000,000.00 to \$2,003,000.00 for related waterline work: and providing for the payment thereof."

Which was read.

Also,

Bill No. 2691

A Resolution entitled, "Resolution amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, entitled 'Resolution providing for the letting of contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof', by including a provision for increasing the allocation for the Department of Public Works from \$300,000.00 to \$456,162.41 and providing for the payment of costs thereof.'" (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2692

A Resolution entitled, "Resolution further amending Resolution No. 675 approved August 16, 1976, entitled 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in con-

nection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account,' as amended by Resolution No. 747 of 1977, No. 1020 of 1977, No. 4 of 1978, No. 1333 of 1978 and No. 21 of 1979, by increasing the maximum aggregate authorized amount from \$14,169,000.00 to \$14,184,000.00 and by providing for the payment of the additional \$15,500 by increasing the amount of funds available from PR77-25, and by amending Exhibit I to indicate the revised total funding."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2798 Report of the Committee on Planning, Housing and Development for February 21, 1979, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,
Bill No. 2465

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 6 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development district all that certain property bounded by: Perrysville Avenue; Burgess Street; Maywood Street and Lots Numbered 145 and 130, Block 46-F in the Allegheny County Block and Lot System, 26th Ward."

Which was read.

Also,

Bill No. 2466

A Resolution entitled, "Resolution approving a Conditional Use under Section 2801-1-A-(33) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to Mellon-Stuart Realty Company for construction of a basement and ten story highrise, 104 unit housing for the elderly facility located at the northwest corner of Perrysville Avenue and Burgess Street, being Lot Numbered 136, Block 46-F in the Allegheny County Block and Lot System, 26th Ward."

Which was read,

Also,

Bill No. 2695

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mentie Williams for the sale of Parcel 42 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2696

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment

Authority of Pittsburgh and Mildred R. Shagam for the sale of Parcel 224 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2697

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard G. Green for the sale of Parcel 99 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2698

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carl Younger for the sale of Parcel 56 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2699

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald C. Reisdorf and Roberta Lee Reisdorf for the sale of Parcel 22 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2700

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by

and between the Urban Redevelopment Authority of Pittsburgh and Inez M. Muskelly for the sale of Parcel 170 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2701

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert L. Culligan for the sale of Parcels 32 and 33 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2702

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George Plutchok for the sale of Parcel 213 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2799 Report of the Committee on Supplies for February 21, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2718

A Resolution entitled, "Resolution repealing Resolution No. 1156 approved October 13, 1978, entitled, 'Resolution providing for the letting of a contract or contracts for the furnishing delivery and installation of a Patient Monitoring System, for the Department of Emergency Medical Services, and for the payment thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 2800 Report of the Committee on Parks and Recreation for February 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,
Bill No. 2715

A Resolution entitled, "Resolution providing for a contract or contracts for the furnishing and installation of partition walls and doors at the North Side Senior Citizen Center and providing for the payment of the cost thereof."

Which was read

Also,

Bill No. 2716

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of a new ballfield behind Sunnyside School, Stanton Heights, and providing for the payment of the cost thereof, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2754

A Resolution entitled, "Resolution providing for the amendment of Resolution No. 1495 of 1978 and the authorization therein to purchase property at 3515 McClure Avenue, 27th Ward, commonly known as the Rebekah Home."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 2801 Report of the Committee on Lands and Buildings for February 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2704

Resolution repealing Resolution No. 345, approved 8/13/74, which authorized the sale of property in the 17th Ward on 642 Windom Street to Walter Maynosz for the sum of \$150.00. Purchaser neglected to complete the sale as per agreement and has since deceased. Requested that sale be cancelled and hand money of \$150.00 be forfeited.

Which was read.

Also,

Bill No. 2705

Resolution providing for the filing of a petition for the sale of property in the 4th Ward being vacant lots on 3526 Wakefield Street and on 3522 Whitney Street to Odessa Blanton for the sum of \$1,500.00. Block 29-G, Lot 201, 25 x 100; Block 29-G, Lot 204, 50 x 100.

Which was read.

Also,

Bill No. 2706

Resolution providing for the filing of a petition for the sale of property in the 5th Ward being a 2 story frame house on 708 Watt Street and 2 story brick house on 710 Watt Street, designated as Block 10-C, Lots 15 and 16, to Marjorie Moss for the sum of \$850.00.

Which was read.

Also,

Bill No. 2707

Resolution providing for the filing of a petition for the sale of a 2 story brick and

frame building with a store room on 636 Herron Avenue designated as Block 27-A, Lot 179, to Jeremiah James for the sum of \$4,200.00, 5th Ward.

Which was read.

Also,

Bill No. 2708

Resolution providing for the filing of a petition for the sale of property in the 5th Ward being a 1 story brick building on 2039 Centre Avenue, Block 10-N, Lot 286, to Roberta Cole, Trustee for Frank Cole, Tracy Cole and Kimberly Terry for the sum of \$750.00.

Which was read.

Also,

Bill No. 2709

Resolution providing for the filing of a petition for the sale of property in the 14th Ward being a 1 story cement block garage on 7118 Edgerton Avenue corner of Selkirk Way, Block 126-L, Lot 320, to James A. Jerpe and Grace K. Jerpe, his wife for the sum of \$1,500.00.

Which was read.

Also,

Bill No. 2710

Resolution providing for the filing of a petition for the sale of property in the 17th Ward being a vacant lot on 1311 Carson Street, Block 3-H, Lot 144, to Fred F. Flugger, for the sum of \$2,200.00. Lot size 20.09 x 96.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I would like to report on the request I made last week on how we would go about finding a flag for the Carrick Band of 1,000. I thought it might be of interest to note that I located a flag, and I believe it was in the basement of the City-County Building and that refers to the point that Mr. Robinson has been making that it would be nice if the right hand knew what the left hand was doing and if we had our matieral computerized.

The flag is on permanent loan to the Carrick Band, it was in the basement and no one was using it, other flags have been ordered since for the Parks Department and for Lands and Buildings and I think it is a point we ought to reinforce, we ought to get on with recording what the City owns.

Mr. Stone moved to approve the minutes of Tuesday, February 20, 1979.

Mr. Lally seconded the motion.

And on motion of Mr. Robinson.

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, March 5, 1979

No. 10

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, March 5, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

ABSENT:

Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2802 Resolution providing for the

filing of an application by the City of Pittsburgh with The Pennsylvania Commission on Crime and Delinquency for a grant in connection with The Special Police Unit Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Special Police Unit Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2803 Resolution authorizing the issuance of a Warrant in favor of J-Jac Construction Corporation in the amount of Eleven Thousand Eight Hundred and Fifty (\$11,850.00) Dollars in payment for the "Extra Work" in connection with the Reconstruction of Forbes Avenue, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2804 Resolution amending Resolution No. 61, approved February 6, 1979, effective February 9, 1979, entitled "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering services in connection with the inspection and

design of the Larimer Avenue Bridge and providing for the payment of costs thereof", by correctly identifying the source of funding.

Also

No. 2805 Resolution amending Resolution No. 88, approved February 12, 1979, effective February 14, 1979, entitled "Resolution providing for a Contract or Contracts in connection with the demolition of the Fulton Street Footbridge; and providing for the payment of costs thereof", by increasing the total allocation from \$41,000.00 to \$41,700.00.

Also

No. 2806 Resolution further amending Exhibit 1 and Section 3 of Resolution No. 675, approved 8-16-76, as amended by Resolution No. 747, approved 8-16-77, as amended by Resolution No. 1020, effective 10-27-77, as amended by Resolution No. 4 effective 1-31-78, as amended by Resolution No. 725, effective 6-30-78, as amended by Resolution No. 827, effective 8-3-78, as amended by Resolution No. 1333, effective 11-30-78, as amended by Resolution No. 21, effective 1-19-79 entitled: "A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; providing the Local Public Works Employment Act of 1976; providing for the required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account," by increasing Parks and Recreation allocation by \$15,000.00 in Section 3, creating new line items and amending project identification number in Exhibit 1.

Which were severally read and referred to the Committee on Public Works.

Also

No. 2807 Resolution providing for a

Third Supplemental Agreement for the Oakland Loop Bus (Reduced Fare Loop Bus Project) and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens presented

No. 2808 Resolution providing for an Agreement or Agreements with Mackin Engineering Company for engineering services in connection with the Bell Farm property and providing for the payment of the cost thereof.

Also

No. 2809 Resolution authorizing the Mayor and Director of the Department of Housing, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh with respect to, and not to exceed, Three Hundred (300) units of low-rent housing, and providing for the acceptance by the City of Pittsburgh of payments in lieu of taxes from said Authority.

Also

No. 2810 Resolution providing for a Second Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh amending the Community Development Block Grant Cooperation Agreement of 1978 by providing for the reallocation of \$75,000.00 from the Home Repair Loan and Grant Program to a contingency fund for contract completion; and amending Resolution No. 860, effective August 9, 1978, as amended by Resolution No. 1556, effective December 31, 1978.

Also

No. 2811 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 4-G-Lot

Numbers 254, 256, 249 and Block 4-C-Lot Number 94.

Also

No. 2812 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gilbert A. Smith, Jr. and Peggy A. Smith for the sale of Parcel 122 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 2813 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jessie J. Holly and Ruby Holly for the sale of Parcels 88, 89 and 90 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 2814 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doris M. Hardy for the sale of Parcel 117 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 2815 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Norval G. Lyle for the sale of Parcels 19 and 20 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2816 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph W. Richey for the sale of Parcel 14 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2817 Resolution approving a form of

contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Deborah E. Mottsmann for the sale of Parcel 31 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2818. Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert V. Edmunds for the sale of Parcel 209 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2819 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Elizabeth Ivey for the sale of Parcel 47E in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2820 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marsha J. Tomlin for the sale of parcel 165 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2821 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Tom W. Akkerman for the sale of Parcel 233 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 2822 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carl R. Smallwood and Kathryn Smallwood for the sale of Parcel 111 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2823 Resolution repealing Resolution No. 10, approved January 16, 1979, which authorized the sale of property on Murray Avenue in the 14th Ward designated as Block 87-K, Lot 57, to Edward M. Goldston, for the sum of \$1,000.00. Hand money in the amount of \$100.00 to be refunded

Also

No. 2824 Resolution amending Resolution No. 1074, effective November 16, 1977, entitled: "A Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended, entitled 'Resolution - adopting the 1977 Capital Budget, allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds' by reallocating funds for the Department of Lands and Buildings, and creating an additional project", by reducing the project allocation and transferring funds to the respective account

Also

No. 2825 Resolution providing for an Agreement or Agreements for design work and a contract or contracts in connection with the construction of the Sheraden Library/Community Building and providing for the payment of the cost thereof.

Also

No. 2826 Resolution repealing Resolution No. 1079, approved October 2, 1978 for the sale of property in the 28th Ward located on 1333 Greenway Drive, Block 41-K, Lot 125, to Paul J. Bart, for the amount of \$3,588.00. Hand money in the amount of \$358.80 to be returned to purchaser for the reason of damages during excavation on adjoining property.

Also

No. 2827 Resolution repealing Resolution 63, approved February 6, 1979, effective February 9, 1979, entitled: "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of the Sheraden Library/Community Building".

Also

No. 2828 Resolution providing for a lease renewal to Columbia Gas Company for a term of twenty (20) years for an 8" gas line within the limits of McKinley Park, between Suncrest Avenue and Bausman Street for a yearly rental of One (\$1.00) Dollar.

Also

No. 2829 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also

No. 2830 Communication from Harold West, Director of Lands and Buildings, requesting interim approval of payments of \$2,771.25 to Coffey Construction Company for services in connection with improvements at City-County Buildings. Funds are available in Capital Project LB 77-09, Renovations to Various Public Buildings, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2831 Resolution providing for the issuance of a warrant in favor of Casciato Brothers, 3301 Hyperion Street, Pittsburgh, PA 15215, in the amount of \$3,800.00 in payment for rebuilding of a gate valve vault furnished for the benefit of the City in connection with City Controller's Contract No. 22888, Rehabilitation of Various Streets and Park Roads 1977 "B" Program, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2832 Communication from John C. Miller, Director of Water, requesting permission to attend American Water Works Association Annual conference, San Francisco, California, June 23-29, 1979, at a cost not to exceed \$1,100.00, payable from Code Account 1701, Miscellaneous Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2833 Resolution amending Resolution No. 99, approved February 13, 1979, effective February 16, 1979, entitled: "Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost, which is not to exceed \$30,00.00, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation," by changing the code account to Code Account 1833, Concerts.

Also

No. 2834 Resolution providing for an agreement or agreements with the Duquesne University Tamburitzans for the furnishing of dance performances to the residents of the City of Pittsburgh during 1979; and providing for the payment of the cost which is not to exceed \$10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also

No. 2835 Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost which is not to exceed

\$9,500.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Stone for Mr. Robinson presented

No. 2836 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Eleven (11) One Ton, four-wheel drive, pick-up trucks, less trade-ins, for the Bureau of Automotive Equipment, Department of Supplies, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2837 Resolution providing for an Agreement or Agreements with Bethany House Ministry, Better Business Bureau of Western Pennsylvania, Inc., Brashear Association, Inc., Carnegie-Mellon University, Community Human Services Corporation, East End Cooperation Ministry, Home for Crippled Children, Lutheran Services Society of Western Pennsylvania, Mattress Factory Ltd., Nineteen, Inc., Parkway Industries, Pittsburgh Free Clinic, Inc., Pittsburgh Regional Library Center, School District of Pittsburgh, South Oakland Citizens Council, Theatre Express, University of Pittsburgh, Women in Urban Crisis, Inc., and Pittsburgh History and Landmark Foundation for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2838 An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 12 by changing from "R3" Multiple-Family Residence District to "M4" Heavy Industrial District all that certain property

bounded by: Wharton Street; the "M4" Heavy Industrial Zoning District boundary line east of South Nineteenth Street and north of Wharton Street; and Lot Numbered 13, Block 12-F in the Allegheny County Block and Lot System, 17th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so bills will be on the agenda this Wednesday

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 2839 Resolution authorizing the Mayor to issue and the City Controller to countersign duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also

No. 2840 Resolution providing for the issuance of a warrant to Elmer Stamos in the amount of \$1,181.31 in full settlement of claim for damages to his parked automobile, and providing for the payment thereof.

Also

No. 2841 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Court Reporters in the amount of \$975.20 in payment for stenographic transcript of a hearing before the Appeals Board regarding the appeal of Dorian Arlett which was held on January 4 and February 1, 1979, furnished for the benefit of the City without previous authority of law.

Also

No. 2842 Communication from Mayor

Caliguiri, Submitting an updated Table of Organization which reflects the 1979 Budget.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2843 Petition from North Side Civic Development Council, Inc. on behalf of the residents of 4 North Side Neighborhoods requesting a hearing to discuss truck traffic patterns on residential streets and to explain their proposed solution to the problem.

Which was read and referred to the Committee on Public Works.

Also

No. 2844 Petition from residents of Oakland requesting a hearing to discuss recent, tragic fire in Oakland and means of prevention of recurrence.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2845 Report of the Committee on Finance for February 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2735

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of H.J. Schneider Construction, Incorporated, in the amount of Three Thousand Eight Hundred Thirty Seven Dollars and Seventy Five Cents (\$3,837.75) in payment for 'Extra Work' in connection with the reconstruction of a sanitary sewer on Remington Drive, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2736

A Resolution entitled, "Resolution authorizing the issuance and payment of a semi-final estimate to Burrell Construction in conjunction with the resurfacing of various city streets and park roads with bituminous materials, including regrading and recurbing and other work incidental thereto, Controller's No. 23391, and reducing the retained percentage from ten (10%) percent to one (1%) percent."

Which was read.

Also,

Bill No. 2737

A Resolution entitled "Resolution authorizing the issuance and payment of a semi-final estimate to Domenic Parente Contractors, Inc., in conjunction with the resurfacing of various city streets and park roads with bituminous materials, including regrading and recurbing and other work incidental thereto, Controller's No. 23392, and reducing the retained percentage from ten (10%) percent to one (1%) percent."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And there being two-thirds of the votes of

Council in the affirmative, the bills passed finally.

Also,

Bill No. 2753

A Resolution entitled, "Resolution repealing Ordinance No. 693, approved November 17, 1975 entitled: 'Authorizing the issuance of a warrant in favor of Michael R. Gentile for extra work in connection with the construction of the tennis courts at Mt. Washington Park.'"

Which was read

The Chair:

Is there any discussion on the bill?"

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres'nt)
Michelle Madoff	
Ayes 8	Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2757

A Resolution entitled, "Resolution providing for the issuance of a warrant to David Dugan and Mollie Dugan, his wife and Beverly Gerber in the amount of \$600.00 in full settlement of lawsuit for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2758

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Raymond Gary Brown in the sum of \$992.74 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2759

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Foss Rental Company in the sum of \$1,433.18 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2760

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Allstate Insurance Company and Joseph Barone in the sum of \$540.31 in settlement of claim for damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And there being two-thirds of the votes of

Council in the affirmative, the bills passed finally.

Also,

Bill No. 2761

A Resolution entitled, "Resolution amending Resolution No. 1489 approved December 22, 1978 entitled, 'Providing for Agreement-/Agreements to obtain the professional services of Data Processing Specialists or Consultants for purposes of technical assistance in the development of and evaluation of a request for proposal for computer services for the City of Pittsburgh', by increasing the amount to \$15,000.00 and changing the appropriate Code Accounts chargeable to and payable from."

Which was read

The Chair:

Is there any discussin on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2762

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Coopers and Lybrand, Thirty-Fifth Floor, 600 Grant Street, Pittsburgh, Pennsylvania 15219, for professional consulting services in

connection with the development of a new capital project control system."

Which was read.

Mr. Givens:

On this bill, I was unaware of this and I did not have the opportunity if this is CD and under Planning Commission, I would like, if I could, to go back and review this bill with Director Lurcott, so I would like to have Bill No. 2762 recommitted.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Stone:

I'd like to make a point, if it doesn't have sufficient votes, I think we ought to vote it down now, but if we are going to go ahead with it I think we ought to for the simple reason that we have an April date on the bond thing. This information should come before that. I just caution you in that portion of it because we are trying to accelerate that information so we have it before April because in the bond ordinance, Council indicates that we wanted the bond issue before April.

Mr. Givens:

Well, this would not hold it back through April, Bob, it would come up Wednesday and be passed next Money.

Mr. Stone:

Allright, I just offer you that word of caution though.

Mr. Givens:

Do you think that would be shortcutting it too much?

Mr. Stone:

Well, we are running tight now because if my memory serves me correctly, he indicated four to eight weeks.

Mr. Givens:

Well, I'd still like to review it with them.

Mr. Stone:

Allright, fine.

Also,

Bill No. 2763

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services of a CETA Hearing Officer as a requirement of the grievance process under the Comprehensive Employment and Training Act Equal Employment Opportunity provisions; and providing for an Agreement or Agreements for court reporting services and preparation of transcripts of testimony to be taken of CETA grievance hearings; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2764

A Resolution entitled, "Resolution authorizing the City Controller to engage the services of Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2792

A Resolution entitled, "Resolution transferring the aggregate sum of \$80,000.00 from Code Account 41, Refunds - Real Estate Tax, to Code Account 46, Judgments, and Code Account 47, Interest on Judgments."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2846 Report of the Committee on Public Works for February 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2738

A Resolution entitled, "Resolution amending Resolution No. 642, approved August 2, 1976, effective August 9, 1976, as amended by Resolution No. 94, approved February 17, 1978, effective February 27, 1978, entitled, 'Resolution providing for a Contract or Contracts for the reconstruction of Crane Avenue from Saw Mill Run Boulevard to Beechview Avenue (PW 76-16); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by including a provision for decreasing the total allocation from \$2,534,000.00 to \$2,444,000.00."

Which was read.

Also,

Bill No. 2739

A Resolution entitled, "Resolution taking, using, appropriating and condemning certain property of Morry J. Rosecrans, owner of Lot No. 15-J-300, situate in the Nineteenth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, for the opening and widening of Crane Avenue and other public purposes; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2740

A Resolution entitled, "Resolution vacating a portion of Mend Way in the Eighth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2744

A Resolution entitled, "Resolution vacating Range Way between Isabella Street and River Avenue in the Twenty-Second Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2847 Report of the Committee on Planning, Housing and Development for February 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2694

A Resolution entitled, "Resolution supplementing and amending Resolution No. 980, approved October 20, 1977, as amended by Resolution No. 157, approved February 24, 1978, entitled, 'Resolution providing for an Agreement or Agreements with Community Action Pittsburgh to implement the Weatherizing Homes in Pittsburgh (WHIP), 'by providing for authorization for the Mayor and the Director of the Department of Housing to enter into such agreement or agreements."

Which was read.

Also,

Bill No. 2743

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Architects Workshop, Inc., for urban design services in connection with the City's Community Development Program and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Stone for Mr. Robinson presented

No. 2848 Report of the Committee on Supplies for February 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2756

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of filter System for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 2849 Report of the Committee on Water for February 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2752

A Resolution entitled, "Resolution authorizing the reduction of the retained percentage from 10% to 1% on Waterline Installation-Lawn Street/Mackey Street-/Hodge Street/Wellsford Street/McKee Place and Euler Way, Sciulli Brothers, Inc., Contract No. 2 - Department of Water No. WD 77-4, Controller's No. 23466-F."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Stone
Mr. Coyne	Mr. DePasquale
Mr. Givens	(Pres't)
Mr. Lally	
Michelle Madoff	

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2850 Report of the Committee on Lands and Buildings for February 28, 1979

transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2744

An Ordinance entitled, "An Ordinance authorizing the Director of the Department of Lands and Buildings to prepare a book containing a list of City owned properties or properties for which the City is the agent for the three taxing bodies, which are released for sale."

Which was read.

The Chair:

Is there any discussion on the bill?

Mrs. Masloff:

I am going to vote no on this bill because I feel there are enough lists floating around here which nobody uses.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes being in the affirmative, the bill passed finally.

Also,

Bill No. 2745

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings to enter into an agreement or agreements for the placing of commercial newspaper display ads advertising sale of properties owned by the City or the City as agent for the three taxing bodies; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2746

Resolution repealing Resolution No. 355, approved 5/11/77, which authorized the sale of property in the 4th Ward being 2 lots on Forbes Avenue, designated as Block 11-L, Lots 163, 164, to John V. Adams, for the sum of \$4,200.00. Hand money being forfeited in the amount of \$420.00.

Which was read.

Also,

Bill No. 2747

Resolution providing for the filing of a petition for the sale of property in the 17th Ward being a vacant lot on S. 13th Street, designated as Block 3-M, Lot 264, to George H. and Bonnie L. Christopher, his wife, for the sum of \$2,200.00. Size of Lot 20 x 115.

Which was read.

Also,

Bill No. 2748

Resolution providing for the filing of a petition for the sale of a vacant lot on 807 Mayville Avenue, Block 61-B, Lot 29, to Joseph Colonna and Anna Colonna, his wife, for the sum of \$1,000.00, 19th Ward, lot size 30 x 100.

Which was read.

Also,

Bill No. 2749

Resolution providing for the filing of a petition for the sale of property in the 19th Ward being 3 lots on Sweetbriar Street, designated as Block 5-C, Lots 213, 214, 220, to Anthony and Theresa Kowalecki, his wife, for the sum of \$1,000.00, sizes (213) - 20 x 100, (214) - 20 x 100, (220) - 60 x 100.

Which was read.

Also,

Bill No. 2750

Resolution providing for the filing of a petition for the sale of property in the 28th Ward being a vacant lot designated as Block 40-R, Lot 216, to William J. Moore for the sum of \$350.00, lot size 25 x 100.

Which was read.

Also,

Bill No. 2751

Resolution providing for the filing of a petition for the sale of property in the 31st Ward being a vacant lot on Calera Street, designated as Block 135-D, Lot 28, to Peter J. Caruso & Sons, for the sum of \$1,500.00. Lot size 117 x avg. 76.42.

Which was read.

Also,

Bill No. 2789

A Resolution entitled, "Resolution providing for a contract or contracts for the purchase and installation of an air-conditioning system, Council Chambers and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

I just hope that we are all here to enjoy the air-conditioning next year, Mr. President.

If we're not, you can think of me.

The Chair:

Mr. Lally, I want to congratulate you on finally getting us an air-conditioning system.

Mr. Lally:

Thank you sir.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Bulls for Mr. Robinson presented

Bill No. 2851 WHEREAS, Lupus Erythematosus is a chronic and sometimes fatal disease affecting the connective tissue of the human body and;

WHEREAS, the total number of patients in the United States with Lupus is unknown, but current estimates place this number in excess of 500,00 with 50,000 new cases and 5,000 deaths annually attributable to the

disease which mainly affects women in the child bearing age range; and

WHEREAS, it is far more common that Rheumatic Fever, Leukemia, Cystic Fibrosis, Muscular Dystrophy, Multiple Sclerosis, Hemophilia, and other well-known diseases; and

WHEREAS, although prevalent it is a relatively unknown disease that should be given public exposure; and

WHEREAS, the Lupus Erythematosus Society of Pennsylvania, Inc., has done an outstanding job in developing techniques and resources to find a cure as well as the cause of this dreaded disease; and

WHEREAS, the activities of the Local Lupus Society, whose President is Mrs. Nancy Smith and Chairman is the Super-Star of the Pittsburgh Pirates, Bill Robinson, have been commendable and noteworthy and deserving of public recognition; and

WHEREAS, one of our local distinguished health care facilities, St. John's Hospital has contributed positively and substantially to the problems of Lupus and deserves recognition.

NOW THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh observe the week of March 5, 1979 as the Fourth Anniversary of the Lupus Erythematosus Society of Pennsylvania, Inc.

Which was read.

Mr. Bulls moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

I believe there are several representatives of the Lupus Society in the audience today, we are pleased to have you here, and I believe Mr. Bulls would like to

call some of you forward to receive that resolution.

Mr. Bulls:

Thank you Mr. President, Mr. Robinson has left several gold seal resolutions to be presented to some of the members of the Society. I would like to start with Miss Edith Van Halanger, the Administrator of St. John's Hospital.

Miss Halanger:

I would like to take this opportunity to thank the President of City Council and the City Councilmembers and the City of Pittsburgh for the award to St. John's General Hospital, but mostly to Mrs. Nancy Smith and the hard work that she has done. It has been through her efforts that Lupus has been recognized as a disease that is so prevalent in the United States today. Thank you all.

Mr. Bulls:

Mr. President, the next resolution goes to a Mrs. Nancy Smith, the President of the Lupus Society.

Mrs. Smith:

Your recognition is so important to us because we have worked so hard in Pittsburgh because of its great people, is leading the fight against Lupus, thank you.

The Chair:

Nancy is getting to be an old friend.

Mr. Bulls:

Right, Mr. President, the final gold seal goes to Bill Robinson, the baseball player. Accepting for him is Mrs. Carol Bender.

Mrs. Bender:

On behalf of Bill Robinson, I would like to say thank you. Thank you to all of the members of City Council.

The Chair:

I would like to add this is one of the more

pleasurable moments for City Council. Thank you again for attending.

Michelle Madoff:

Mr. President, I would like to call to the attention of Council, Sophie Masloff just asked me when I'm going to have time to read all of these books...but I want to point out that I have been subjected to some harrasment. Some unknown person or persons have been sending my name in to various publications, schools, insurance companies, etc. Psychology Today Magazine, Consumer Report, Consumer Guide, Cuisine, Ambiance, World Books, etc., etc., I have been enrolled in the Marines, World Books, Encyclopedia Britannica, three insurance companies, computer schools, I am being done by credit bureaus. I have now contacted the Postal Inspector and have been informed that this is a violation of postal laws, fraud through the mails. I inadvertently received a clue to the perpetrator of these acts of harrasment. I left out my next sentence because I don't want to make any accusations until they are proven. I am to supply the Postal Inspector with my reasons as to who the perpetrator might possibly be and they will be following through with examinations of handwriting and with examinations of typewriters.

I think it is disgraceful that companies and business people are also being subjected to this kind of harrasment in loss of time and monies. The people that call me saying, "we got your card", this is how they earn their living. I can live with it, but I think it is really a hardship on the other people. I just want anybody in Council who has had this problem, of course you wouldn't be in the same spot I am because I'm not exactly loved in this room, but I think you ought to know that you can call the post office and they will act on it and they are now awaiting all of this, I just held it to bring it to Council's attention.

The Chair:

Feel free to join the crowd, I've been getting mail for thee years addressed to the President of Pop-off, Inc., and I get everything that you are getting plus a few others.

Michelle Madoff:

Did they put your address in?

The Chair:

Yes, my address, they write to the house, packages...they came with a package one day that cost \$250.00 C.O.D. Needless to say, I didn't pay for it.

Michelle Madoff:

It would be funny if it turned out to be the same person who is sending mine. We have a very good clue as to who handled ours and that is one of the reasons I brought it to the Council.

The Chair:

I wish you could find the culprit, you'd have better luck than me.

The Chair presented

Bill No. 2852

Communication from Mayor Richard S. Caliguiri reappointing Pasquale Navarro as a member of the City Development Commission for a five year term to expire January, 1984.

Which was read, received and filed.

Also,

Bill No. 2853

Resolution confirming the re-appointment by the Mayor of Pasquale Navarro of 3620 Dunmoyle Street as a member of the City Development Commission for a term to expire in January, 1974.

Which was read.

The Chair:

If I could offer a suggestion to waive on the re-appointment and appointment, he is a city resident and meets all requirements.

Mr. Lally:

He is a city resident.

Mr. Coyne:

Mr. President, I normally wouldn't have any objection to that except that I think it would be appropriate if we had some update being that this is a Commission that is newly formed and a Commission that was formed as a result of Council action, I think in 1975, to see what effect the Economic Development Commission is having and has had so far. Maybe as a member of the Economic Development Commission Mr. Navarro would be able to bring us up to date as to what they have accomplished and what they hope to accomplish.

The Chair:

Thank you Mr. Coyne.

Mr. Stone:

Mr. President, see if he can come Wednesday, if he can we'll accelerate if rather than wait the traditional two weeks.

The Chair:

Mr. Clerk you are so ordered.

Also,

Bill No. 2854

Communication from Mayor Richard S. Caliguiri appointing Joseph M. James as Magistrate to the City Court for a term to expire December 31, 1982.

Which was read, received and filed.

Bill No. 2855

Resolution approving the appointment by the Mayor of Joseph M. James of 6375 Edby Street as Magistrate, City Court for a term to expire December 31, 1982.

Which was read.

Mr. Stone moved to hold the re-

appointment and appointment for two weeks.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone:

I request that Mr. Navarro come to Council within a week from Wednesday.

The Chair:

Mr. Perry, we'll have Mr. James in on the 14th if possible and Mr. Navarro in on the 7th.

Michelle Madoff:

Mr. President, may I point out to Mr. Perry that when the hearing is scheduled for the People's Oakland and the three groups that were here today, they would like to have Mr. Penkower here as well to deal with what he needs in the courts. They feel Housing Court has not addressed their problems

Mr. Bulls:

Mr. President, I would like to request for a Post Agenda item on Wednesday, I would like to have Director Brown here, the City Planner for the 12th Ward to discuss the Multi-Purpose Recreation Center in the 12th Ward.

Mr. Bulls moved to excuse Mr. Robinson for the absence from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, February 26, 1979.

Mr. Givens seconded the motion.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL.. CXIII

March 12, 1979

No. 11

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
March 12, 1979

PRESENT:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

ABSENT:

Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Before we dispense with the regular procedures of our meeting, I'd like to go on with issuing the proclamation to young Dan Marino. I was going to send somebody back to get the Mayor but he got here on his own

power, Mr. Mayor, would you come up here please?

Mayor Caligiuri:

Mr. President, Members of Council, Friends and family of Dan Marino, it is certainly a pleasure for me to read this resolution and I think it is a great find and tribute to Pitt to get this fine young gentleman to be playing for us. Maybe this year again I can get Howard Cosell to keep his mouth shut about Pitt with you there Danny. So, if I may read this resolution. . .

The Chair presented

Bill No. 2856 WHEREAS, Dan Marino, a resident of Pittsburgh and senior quarterback of the 1978 Central Catholic Football Team, is one of the Country's most sought-after football prospects; and

WHEREAS, in his senior year as quarterback Dan passed for 1400 yards, with a 68% percent completion record and 24 touchdown passes; and

WHEREAS, because of his outstanding athletic ability Dan Marino was voted to the first team in the Western Pennsylvania Football Conference; First Team - WPIAL All Star Team; First Team - All State; Member - Big 33 State of Pennsylvania Football Team; and number one National High School All American Team from Parade Magazine, a national publication; and

WHEREAS, on February 21, 1979, Dan Marino submitted his letter of intent to sign with the University of Pittsburgh's Pitt Panthers Football Team.

NOW THEREFORE

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh hereby recognize and salute Dan Marino for his brilliant athletic abilities and outstanding achievements as quarterback of the 1978 Central Catholic Football Team; and thank him for bringing honor and esteem to the City of Pittsburgh.

Mr. Coyne moved for approval.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone:

A good Serbian boy.

Mayor Caliguiri:

On behalf of myself and all the Members of City Council and the people of Pittsburgh, we are very happy that you are going to stay here in Pittsburgh and play football with us.

Dan Marino:

Thank you Mr. Mayor, thank you City Council Members for giving me this award. I would like to say that I am real happy to be a part of the Pittsburgh Panthers and to stay home in Pittsburgh because it is thought that players around the country, high school players, don't get that much of an opportunity to play in their home town. I am really proud to stay home and play here.

I would like to take this opportunity to thank "Jeep" DePasquale for having me down here and mainly thank the senior players on our football team because I really didn't have a chance to thank them publicly and I would like to thank them now. Thank you.

Mr. Lally:

Mr. President, Mayor, it is a great honor to honor Dan Marino today, we have three fellow Central Alumnae sitting here, Bill Coyne, Dick Givens and myself and we want to congratulate you on the part of the alumnae Dan, for such a great job and we

are glad to see that you are staying in Pittsburgh so that we can see you every Saturday when you are playing here.

Mr. Givens:

That's right, and Dan, you know, it's a funny thing, in my particular career I started out as a football player there at Central myself, and went on to college with a college scholarship and then from there I went into the military and here I sit today. So, it is a great privilege to see you come before us today.

The Chair:

Well, it is a special privilege for me, Dan I don't know you that well, in fact, yesterday, I think I formally met you for the first time at a Communion breakfast. I've known your parents for a long, long time and your grandparents on both sides, so I've been around a little while, and I want to say that yesterday I was quite impressed at your speech at the Communion breakfast at St. Regis and the way you handled yourself.

I don't like to get into the present generation, but it is nice to see a clean cut all American boy and good family boy. When he spoke about his parents yesterday, it sort of brought tears to your eyes because too often today the youngsters are not saying the things about their parents that they should be but he was quick to say that he owed all to his parents and to his family and friends and especially was wonderful in regards to remarks about the coaching staff at Central and his teammates. Here today with us is Dan's dad, Dan, Sr. Dan would you stand please? His grandmother, and I've known her about 100 years but I can't remember her last name. Also, one of our fast rising assistants at Pitt and maybe someday will be the head coach, I wish he was today. . . a very good friend of mine and probably of most of the people here "Foge" Fazio. Some young friends of Danny's here.

Dan Marino:

Those are my sister Debby there, I don't know if she wants to stand, she is kind of shy. . . my cousin Cathy, Rusty and her two friends.

The Chair:

I just want to say one other thing, I noticed on the proclamation, the resolution that the Mayor signed it and I signed it and Mike Perry's name was on there and young Richie Talarico's name was on there, so it seems like an all-Italian affair, but it wasn't planned that way.

Tonight, Bob Stone will be telling everyone on the South Side "see how those Italians stick together".

Mr. Coyne:

I would just like to commend Danny on the superb career he had at Central Catholic and I know the fine effort he is going to make in behalf of the University of Pittsburgh and also to commend his parents Ronnie and Dan who have worked long and hard with Danny and I know Danny would be the first to say that. Thank you.

The Chair:

Thanks again, Dan, thanks to you Dan, Sr., Grandma, "Foge", and all of you for coming down, there was probably some difficulty getting here, but we are glad to have you, believe me.

Mr. Bulls presented

No. 2857 Petition from residents of 2nd, 3rd, and 5th Wards requesting a hearing before Council to discuss acquisition of property for the Associated Block Clubs of America to develop homes and Commercial Center.

Which was read and referred to the Committee on Planning, Housing and Development.

Also

No. 2858 Resolution amending Resolution No. 204, approved April 8, 1976, effective April 10, 1976, entitled "Governing the procurement of police protective vests by the officers of the Department of Police, City of Pittsburgh," by revising the provision pertaining to the purchase and reimbursement of police protective vests.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2859 Resolution further amending Ordinance No. 448, approved August 20, 1975, as amended by Ordinance No. 803, approved December 29, 1975, as amended by Resolution No. 176, approved April 5, 1976, entitled "An Ordinance providing for a Contract or Contracts for Sidewalk Construction at Various Locations and providing for the payment thereof", by decreasing the authorized amount from Two Hundred Thirty Seven Thousand (\$237,000.00) Dollars to Seventy Three Thousand Two Hundred Nine Dollars and Eighty Four Cents (\$73,209.84).

Also

No. 2860 Communication from John E. Ruff, Director of Public Works, requesting interim approval of payment of \$7,094.53 for extra work in connection with construction of sewer on Yankee Mifflin Road, Controller's Contract No. 23043-F.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2861 Resolution amending Resolution No. 134, approved February 26, 1979, effective March 1, 1979, entitled "Providing for an Agreement or Agreements with Detwiler Associates Pittsburgh, for the planning, conduct and evaluation of a citizen participation conference in connection with the City's citizen participation plan and providing for the payment of the cost thereof."

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed

Also

No. 2862 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 9 by changing from "S" Special District to "R2" Two-Family Residence District all that certain property bounded by: Ely Street; the boundary line of the City of Pittsburgh and Baldwin Township; the southerly line of Lot Numbered 73, Block 139-A in the Allegheny County Block and Lot System; the southerly and easterly line of Lot Numbered 75, Block 139-A in the aforesaid system; the southerly line of Lot Numbered 74, Block 139-F and Lots Numbered 154 and 150, Block 139-F; the southerly and easterly line of Lot Numbered 149, Block 139-F and the projection of the easterly line in a northerly direction; the southerly line of Lots numbered 328, 326, 324, 322, 320, Block 139-B and Lot Numbered 50, Block 139-F, in the aforesaid system; and the southerly line of the revised Frey Plan of Lots recorded in Plan Book Vol. 87 Pages 13 and 14, 32nd Ward.

Also

No. 2863 Resolution amending Resolution No. 1267 of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution No. 829 of 1978, as amended by Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978, as amended by Resolution No. of 1979, entitled "Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program" so as to reallocate \$75,000 from the Department of Housing "Home Repair Loan and grant Program"-HD-78-01 into a newly created Department of Housing line item entitled "Contingency Fund of Contract Completion"-HD-78-17 to be executed through the Urban Redevelopment Authority of the City of Pittsburgh; and further, to reallocate \$110,000 from the 1978 Community Development Unspecified Local Option Trust Fund, CC-78-01, into a newly created Department of

Housing line item entitled "Innovative Grant Local Matching Share"-HD-78-19; and further to create the following Housing Department program categories: HD-78-18 - Innovative Grant-North Side, and HD-78-20 - Urban Redevelopment Action Grant-North Side.

Also

No. 2864 Resolution providing for an agreement or agreements with Better Community Services, Inc. for professional services in connection with the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh.

Also

No. 2865 Resolution providing for an agreement or agreements with Health & Welfare Planning Association for professional services in connection with the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh.

Also

No. 2866 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Redevelopment Action Grant Program, including issuance by said Authority of Revenue Bonds.

Also

No. 2867 Resolution providing for an agreement or agreements with a non-profit organization for the operation of the Innovative - Grant - Residential Clubs Program located on the North Side of Pittsburgh.

Also

No. 2868 Resolution providing for an agreement or agreements for professional consulting services in connection with a study of the recreational needs in the 12th Ward.

Also

No. 2869 Resolution amending Resolution 527, approved May 22, 1978 entitled "A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof" by increasing the amount of the agreement.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2870 Resolution transferring the total sum of \$180,040.00 from Capital Project LB 76-1, No. 42 and 51 Fire Stations, Chestnut Street to Capital Project LB 76-3, No 2 Police Station, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also

No. 2871 Resolution amending Resolution 563, approved May 26, 1978, effective May 30, 1978, entitled "A Resolution providing for a contract or contracts in connection with construction for the replacement of No. 2 Police Station, Department of Lands and Buildings, Project No. LB 76-03, and providing for the payment of the costs thereof," by increasing costs from \$216,400.00 to \$396,440.00.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Lally moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also

No. 2872 Resolution providing for the issuance of a warrant in favor of Coffey Construction Company, in the amount of \$4,338.20 in payment for services furnished for the benefit of the City in connection with improvements at the City-County Building; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2873 Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City, to lease to the Jones and Laughlin Steel Corporation, for a term of ten years, certain property of the City located on South Water Street, upon certain terms and conditions.

Also

No. 2874 Resolution providing for an Agreement or Agreements for professional consulting services in connection with the replacement of roofs at various engine companies; and providing for the payment of the cost thereof.

Also

No. 2875 Resolution amending Resolution No. 586 of 1976, as amended by Resolution 821 of 1976 by increasing the amount providing for in connection with the Rehabilitation of Fire Stations, and providing for the payment of the cost thereof.

Also

No. 2876 Resolution authorizing the sale of property in the 25th Ward located on Hecla Street designated as part of Block 23-G, Lot 366, to Peter L. Hervoyavich, Jr., and Kathleen M. Hervoyavich, his wife, for the sum of \$1,000.00.

Also

No. 2877 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at

tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2878 Resolution providing for a contract for a Pitometer Trunk Main Survey of portions of the distribution system of the Department of Water and other engineering studies of the water system and providing for payment of the cost thereof.

Which was read and referred to the Committee on Water.

Michelle Madoff for Mrs. Msloff presented

No. 2879 Communication from Louise R. Brown, Director of Parks and Recreation, requesting interim approval of payment of \$200,000.00 for extra work in connection with construction of Steam Line between Phipps Conservatory and Bellefield Boiler Plant, Controller's Contract No. 23150-FEDA Project No. 01-51-26605.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2880 Resolution amending Resolution No. 1530, approved December 29, 1978, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of Aerofier for the Bureau of Grounds and Buildings, Department of Parks and Recreation, and for the payment thereof", by increasing the amount from \$3400.00 to \$3475.00.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2881 Resolution providing for the issuance of a warrant to Winnifred C. Crosta in the amount of \$3,000.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 2882 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Company in the amount of \$414.00, payment for Workmens Compensation Insurance Endorsement to Policy No. WC 163122 for the benefit of the City without previous authority of law, chargeable to and payable from CETA Trust Fund, federal funds.

Also

No. 2883 Communication from Mayor Caliguiri, requesting permission for Kenneth Fields, Budget and Research Officer, to attend Governmental Accounting, Auditing, and Financial Reporting Colloquium, New York City, April 20, 1979, at a cost not to exceed \$325.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also

No. 2884 Communication from David L. Donahoe, City Treasurer, requesting permission to attend Urban Economic Development Conference sponsored by City of Pittsburgh and Pennsylvania Department of Commerce, Pittsburgh Department of Commerce, Pittsburgh, Pa. April 10-11, 1979, at a cost not to exceed \$55.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2885 Report of the Committee on Finance for March 6, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2762

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with Coopers and Lybrand, Thirty-Fifth Floor, 600 Grant Street, Pittsburgh, Pennsylvania 15219, for professional consulting services in connection with the development of a new capital project control system."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

Mr. President, on Bill 2762, I think a letter should be sent from the Clerk to the City Treasurer, as it is right now, that we try to have Coopers and Lybrand give us that report even faster than is presently targeted so that we can have that in time for any bond issues.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	6	Noes	2
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(MR. COYNE AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2779

A Resolution entitled, "Resolution authorizing the issuance and payment of a

Semi-Final Estimate to Cameron Construction Company, in conjunction with the reconstruction of the Murray Avenue Bridge over Beechwood Boulevard and the Penn Lincoln Parkway Ramp, Controller's Contract Nos. 23103 and 23103F, and reducing the retained percentage from 10 to 1%."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the questions, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	none
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And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2785

A Resolution entitled, "Resolution creating a special trust fund for Maintenance of City-owned lots; transferring to said trust fund \$15,000.00 from Rents City Owned Property Trust Fund; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2790

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, Pa. 15147, in the amount of \$481.80, in payment for emergency repairs to one hi speed saw for the Department of Water and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 2886

Report of the Committee on Planning, Housing and Development for March 6, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2781

A Resolution entitled, "Resolution amending Resolution No. 1549 of 1978 providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program so as to reallocate funds in the amount of \$50,000 from the Department of Public Works Project No. DPW-79-11, Bridge Painting, to Project No. DPW-79-01, Citywide Resurfacing increasing said amount from \$1,500,000 to \$1,550,000."

Which was read.

Also,

Bill No. 2782

A Resolution entitled, "Resolution amending Resolution No. 1267 of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution No. 829 of 1978, as amended by Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978,, entitled 'Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to transfer Community Development Administration funds from the City Trasurer's Salaries line item, in the amount of \$85,000, to the Planning Department Salaries line item, which will increase this amount to a present line item total of \$215,000."

Which was read.

Also,

Bill No. 2783

A Resolution entitled, "Resolution providing for an Agreement with the Allegheny YMCA of Pittsburgh for the renovation of the interior and exterior of the existing multi-service facility located at 600 West North Avenue, Twenty-First Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 2784

A Resolution entitled, "Resolution providing for a Second Supplemental Agreement with the Housing Authority of the City of Pittsburgh for architectural and engineering design for the renovation of a multi-service building at 930 Cresswell Street, St. Clair Village, extending the term of the Agreement from June 30, 1978 to December 31, 1979."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't;
Michelle Madoff	

Ayes	8	Noes	none
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And a majority of the votes of Council being in the Affirmative, the bills passed finally.

Mr. Robinson presented

No. 2887 Report of the Committee on Supplies for March 6, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2791

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Bleachers and Park Benches for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 2888 Report of the Committee on Public Safety for March 6, 1979 transmitting one Ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No 2687

An Ordinance Entitled, "An Ordinance amending Section 2 of Ordinance No. 547, approved February 16, 1911, entitled 'An Ordinance relating to the removal of snow and sleet from sidewalks; and providing penalties for violations thereof' by designating a Central Business District and increasing the fine therein."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2889 Report of the Committee on Lands and Buildings for March 6, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2786

A Resolution entitled, "Resolution amending Section 1 of Resolution No., 1073, effective November 16, 1977, entitled, 'Resolution providing for an Agreement or Agreements

with the County of Allegheny for the conversion of the D.C. Electrical System, City County Building, and providing for the payment of the same' by reducing the project allocation."

Which was read.

Also,

Bill No. 2788

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizens Development Corporation, a non-profit organization, for the renovation of the first floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizen Center and a limited purpose Credit Union, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2825

A Resolution entitled, "Resolution providing for an Agreement or Agreements for design work and a contract or contracts in connection with the construction of the Sheraden Library/Community Building and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2827

A Resolution entitled, "Resolution repealing Resolution No. 63, approved February 6, 1979, effective February 9, 1979, entitled: 'Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of the Sheraden Library/Community Building'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne presented

Bill No. 2890 WHEREAS, The Catholic Diocese Elementary School City Championship Basketball game, girls competition, was played on March 11, 1979, at North Catholic High School gym, and

WHEREAS, St. Joseph's Elementary School, 16th Ward, because of their outstanding team play, succeeded in winning this championship game by defeating St. Basil's with a score of 39 - 28; and

WHEREAS, this victory culminated St. Joseph's undefeated season of 14 wins and zero losses, and has earned them the right to compete in the State Championships to be held in Scranton, Pennsylvania on March 16th, 17th and 18th.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh hereby congratulate the St. Joseph's Elementary School Girls Basketball Team and their coach, Tom Connors, for their outstanding regular season play and their victory in the Catholic District City Championship game and wish them success in the State Championship competition.

Which Was read.

Mr. Coyne moved for approval.

Mr. Bulls seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, I'd just like to raise a couple issues relative to Community Action Pittsburgh, and I raise these mainly because several members of Council are serving on the Board. As Council knows, the Community Services Administration regulation have some requirements in reference to public officials serving on the CAP Board and that is the way that some members of Council are serving on that Board. I think there is some serious question as to what is the legal relationship between Community Action Pittsburgh and the City. Aside from those council members who are serving, they serve by way of regulation, they do not serve by way of any kind of legal agreement between Community Action Pittsburgh and the City. I think that needs to be clarified. Also there has been quite a bit written in the paper and quite a bit said about the designation of an agency to operate the local poverty program, if you want to call it that. CSA Region III under the direction of Dr. Aster Kirk has designated Community Action Pittsburgh. That designation stands separate and apart from any kind of designation that is done by the governing officials of the City of Pittsburgh. Presently it is believed, and I say believed because I don't think there is any basis in our Charter for this belief, that the Mayor has the sole power to designate and therefore unilaterally could re-designate. I think that the legal questions that have to be addressed in part can be addressed by our City Solicitor but also would have to be addressed by outside counsel. In the City of Philadelphia a similar problem did come up and it did go to Court, but in Philadelphia their poverty program operates out of a city department in the City of Philadelphia and there is subject to its Charter, the issue of designation is handled. Also I think that when we look at our Home Rule Charter, Article III and Article II, Article III dealing with the powers of Council and Article II

dealing with the powers of the Mayor, it is not clearly discernable whether or not Council or the Mayor or in conjunction Council and the Mayor have the power to designate some agency here in the City of Pittsburgh to receive Community Action funds or to redesignate some agency. And, I think given the uncertainty in terms of whether or not this program in its present form will be operating in our City and out of respect to the many people in this City who certainly need the kind of services that CAP is providing, that we need to get some legal opinions as to where we stand.

Also, I think that it is very important for us to look at the normal procedure by which the City of Pittsburgh operates, and that procedure is particularly as it relates to incoming funds. No funds coming into the City of Pittsburgh are expended without the appropriate resolution from Council. If, indeed, the monies coming in from Community Services Administration out of Region III come to the City of Pittsburgh and the Mayor is the person designated to dispense of those funds, I think there is a legal question as to whether or not the Mayor is operating within the confines of the Charter to possibly dispose of these funds by designating some agency to handle them when in fact, our normal procedure, and our procedures under the Charter is for Council to pass the appropriate resolution, I would like to request that our City Solicitor give us an opinion as to the legal relationship between Community Action Pittsburgh and the City of Pittsburgh and also address the question of designation. Whether or not the Mayor solely has the powers under our Charter to designate Agencies to receive these funds and that we also request outside legal counsel to give us the same opinion. What I am hoping to do is to set this issue in a framework that is devoid of some of the politics and some of the personalities that unfortunately have become a part of the CAP process and also avoid hopefully, a very embarrassing legal battle around these poverty funds that are so necessary for the citizens of our City.

The Chair:

Thank you Mr. Robinson.

Michelle Madoff:

Mr. Robinson, are you concerned that those of us serving on CAP might be in conflict because we do address ourselves at this meeting in voting?

Mr. Robinson:

No, that doesn't concern me, my concern is that if there is supposed to be actions taken by the governing officials of the City of Pittsburgh, that term governing officials needs to be clarified.

Michelle Madoff:

But, it could be we are in conflict then?

Mr. Robinson:

I don't know, but I know that City Council as I understand it, is a governing body of the City of Pittsburgh and I know the way we normally proceed under our form of government that neither Council nor the Mayor is able to take unilateral action in reference to money. That we work together, and I would assume it would be the same when we are receiving state monies or federal monies where we make application and we have to approve it where the City spends money and we have to prove it, the same would hold true with monies coming here for a federal poverty program.

I would just like to mention one other thing, Mr. Chairman, Dr. Kirk indicated that the designation of the Mayor as a person to dispense these funds is one that Region III assumes to be correct. That they are not involved in the internal designation within the City of Pittsburgh. If, indeed, Council or the City Controller or some other party is to be the appropriate authority, we would have to relate that to Region III. They would not take it upon themselves to send the money to anyone other than that person or that entity which they recognize as the proper authority. He said at this point he recognizes the Mayor of the City of Pittsburgh.

The Chair:

Thank You.

Mr. Stone moved to excuse Mrs. Masloff
for absence from the meeting.

Mr. Lally seconded the motion.

Mr. Stone moved to approve the minutes
of Monday, March 5, 1979.

Mr. Coyne seconded the motion.

And on motion of Mr. Givens,

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, March 19, 1979

No. 12

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President

MICHAEL A. PERRY City Clerk

WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.

Monday, March 19, 1979

PRESENT:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2891 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation,

P. O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2892 Petition from residents of Enright Court (East Liberty) requesting the following for their street: 1) No Parking signs posted; 2) Street Sweeping signs posted; 3) Rodent Control; 4) Do not want refuse containers placed in their neighborhood.

Which was read and referred to the Committee on Public Works.

Mr. Bulls and Michelle Madoff presented

No. 2893 An Ordinance providing for charges by the Department of Emergency Medical Services for ambulance service to non-residents; and creating a special trust fund in connection therewith.

Which was read and referred to the Committee on Public Safety.

Mr. Bulls presented

No. 2894 Communication from Glenn Cannon, Director of Department of Emergency Medical Services, requesting permission for John Ceroni and Director Cannon, to attend National Association of Emergency Medical Technicians Educational Conference, Denver, Colorado, April 25-29, 1979, at a cost not to exceed \$1,500.00, payable from Code Account 1421,

Miscellaneous Services, Department of Emergency Medical Services.

Also

No. 2895 Communication from Thomas J. Kennelly, Chief, Fire Department, requesting permission for Captain Sanner, Lt. Lockard and Fire Inspector Schuette, to attend Life Safety Code 101 Seminar, National Fire Academy, Atlanta, GA, June 25-28, 1979, at a cost not to exceed \$600.00 each, payable from 1463-1, Educational and Travelling Expenses, Department of Fire.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2896 Resolution providing for a Contract or Contracts for the grading, paving and curbing of Benton Avenue from California Avenue to Brighton Road, including the reconstruction of a waterline, the replacement of a public sewer, and other work incidental thereto; including as may be necessary the entrance onto private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation and providing for the payment of costs thereof.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 2897 Resolution providing for the issuance of a warrant in favor of J-Jac Corporation in the amount of One Hundred Five Thousand, Three Hundred Twenty Five

Dollars and Twenty Five Cents (\$105,325.25) in payment for "Extra Work," furnished for the benefit of the City in connection with the resurfacing of Fifth Avenue from Bellefield to South Highland - Phase I, and providing for the payment thereof.

Also

No. 2898 Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 2899 Resolution providing for a Contract or Contracts for the construction of a sanitary sewer on Junius Street including all other work incidental thereto and providing for the payment of the cost of the same be assessed and collected from those properties specially benefited thereby.

Also

No. 2900 Communication from John E. Ruff, Director of Public Works, requesting reimbursement of \$96.23 for expenses incurred in attending meeting with Governor in Harrisburg, PA, March 13, 1979, regarding funds for Thornburg Bridge, payable from Code Account 1530, Miscellaneous Services, Department of Public Works.

Which were read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2901 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pentecostal Temple Church for the sale of Parcel B-16 in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10.

Also

No. 2902 Resolution approving the entering into an agreement by and between Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. in which Urban Redevelopment Authority of Pittsburgh provides the difference between the market value and the Certified Development Cost for housing to be constructed in the Fifth Ward of the City of Pittsburgh.

Also

No. 2903 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. for the sale of Parcels 4, 4A-2, and 4B in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also

No. 2904 Communication from Paul C. Brophy, Director of Housing, requesting permission for Joseph Matthews, Supervisor, WHIP Program, to attend Region III Energy Conference, Baltimore, Maryland, March 20-22, 1979, at a cost not to exceed \$400.00, payable from WHIP Special Trust Fund, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2905 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2906 Resolution providing for the issuance of a warrant in favor of Mueller Company, 500 W. Eldorado Street, Decatur, Illinois 62525, in the amount of \$489.12 in payment for 24 meter box covers furnished for the benefit of the City and providing for the payment thereof.

Also

No. 2907 Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc., 1225 Washington Boulevard, Pittsburgh, PA 15206 in the amount of \$499.35 in payment for emergency repairs to pumps, lampers and saws within the Department of Water.

Which were read and referred to the Committee on Finance.

Also

No. 2908 Communication from John C. Miller, Director, Department of Water, requesting interim approval of payment of \$2,075.50 for extra work in connection with water line installation Brighton Road, Controller's Contract No. 23171-F.

Also

No. 2909 Communication from John C. Miller, Director, Department of Water, requesting interim approval of payment of \$3,000.00 (in addition to previous interim approval letter requesting authorization to pay \$6,000.00) for extra work in connection with rehabilitation of Sedimentation Basins, Controller's Contract No. 23098-F, payable from Bond Fund 230.

Also

No. 2910 Communication from John C. Miller, Director of Water, requesting permission for Assistant Director-Operations Bruecken, to attend American Water Works Association Emergency Planning Seminar, Warrendale, PA, April 10-11, 1979, at a cost not to exceed \$200.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Also

No. 2911 Petition from West End - Elliot Citizens Council requesting a hearing before City Council regarding conditions surrounding breaks in gas and water lines in their area, also legal responsibility for damages incurred by residents caused by recent break in water and gas lines on 2/22/79.

Which were severall read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2912 Resolution providing for an agreement or agreements with a consultant or consultants for professional services in connection with a Cable Communications System for the City of Pittsburgh, and providing for the payment of the cost thereof.

Also

No. 2913 Resolution providing for the solicitation of proposals for a Cable Communications System in the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Also

No. 2914 Resolution further Amending Exhibit 1 of Resolution No. 1350 - effective January 1, 1978, as amended by Resolution No. 597 of 1978, and Resolution No. 1205 of 1978, entitled: "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds"; by creating Capital Project Fund PR/78/33: Magee Recreation Center, by transferring funds from PR/78/09 to PR/78/33, and by increasing funds for PR/78/32; all within the Department of Parks and Recreation.

Also

No. 2915 Resolution amending Resolution No. 34 - effective January 30, 1979, which amended Resolution No. 1416 of 1978, entitled: "Providing for a Contract or Contracts or the use of existing contracts for the Construction of a New Swimming Pool & Recreational Complex at Broadhead-Fording & Village Roads/28th Ward, and providing for the payment of the cost thereof", by changing the source of funds.

Also

No. 2916 Resolution amending Resolution No. 123 - effective March 10, 1976, which amended Ordinance No. 808 of 1975 - entitled: "An Ordinance providing for a Contract or Contracts for the Construction of the

East Hills Swimming Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof" by decreasing the authorization to Two Hundred Eighty-Two Thousand One Hundred Sixty-Three (\$282,163.00) Dollars.

Also

No. 2917 Resolution providing for an agreement or agreements with Carnegie-Mellon University in connection with the 1979 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 2918 Resolution providing for an Agreement or Agreements with Architects or Engineers for Professional Services in connection with the study and design of the Renovation of Phipps Conservatory in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 2919 Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in connection with the 1979 Summer Recreation Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof.

Also

No. 2920 Resolution providing for a Contract or Contracts or the use of existing Contracts for the Construction of Magee Recreation Center and providing for the payment of the cost thereof.

Also

No. 2921 Communication from Louise R. Brown, Director of Parks and Recreation, requesting permission for ten (10) Parks and Recreation staff members to attend 1979 Pennsylvania Recreation and Park Society Conference, Pittsburgh, PA, at a cost not to exceed \$650.00, payable from Code Account 1838 Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2922 Resolution amending Resolution No. 1359, approved December 1, 1978, entitled "Providing for a Contract or Existing Contracts for "Street Lighting", SD-78-03, Miscellaneous streets throughout the City and other work incidental thereto; and providing for the payment thereof", by increasing the amount from \$250,000.00 to \$600,000.00.

No. 2923 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Twenty (20) Two-Way Radios, for the Department of Water, and for the payment thereof.

Also

No. 2924 Resoluituion amending Resolution No. 1492, approved December 22, 1978, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of Electric Synchronous Motor, for the Department of Water, and for the payment thereof", by increasing the amount from \$4500.00 to \$7000.00.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2925 Resolution providing for a contract for the operation of the parking concession at the Monogahela Wharf.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 2926 Resolution providing for the issuance of a warrant to Marie Lech, care of C. Donald Gates, Jr., Esquire, 3367 Babcock Boulevard, Pittsburgh, PA 15237, in the amount of \$1,500.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also

No. 2927 Resolution providing for the issuance of a warrant to Wayne Crouse, Inc., care of Michael D. McDowell, Esquire, Grant Building, Pittsburgh, PA 15219 in the amount of \$5,000.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 2928 Resolution providing for the issuance of warrants in the aggregate amount of \$12,000.00 to be distributed in the following manner: To Bart M. Beier, Esquire, \$4,272.33; to James H. Bogdan and Margaret Bogdan, his wife, \$1,727.67; and to James H. Bogdan and Margaret Bogdan, his wife, as parents and natural guardians of the minor, James C. Bogdan, \$6,000.00, in full settlement of lawsuit for personal injuries, and providing for the payment thereof.

Also

No. 2929 Resolution providing for the issuance of a warrant to Centnor Housing Corporation in the amount of \$750.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 2930 Resolution providing for the issuance of a warrant to Underwriters Adjusting Company, subrogee of John K. Jones care of James David Elder, Esquire, 1220 Frick Building, Pittsburgh, PA 15219, in the amount of \$2,850.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 2931 Resolution authorizing issuance of a warrant in favor of Therese Jack-

son in the sum of \$50.00 in settlement of claim for damage.

Also

No. 2932 Resolution authorizing issuance of a warrant in the sum of \$1,332.96 in favor of Richard W. and Marie Lowe in settlement of claim for damage.

Also

No. 2933 Resolution authorizing issuance of a warrant in the sum of \$1,979.50 in favor of the Travelers Insurance Companies and Nevada M. Thomas in settlement of claim for damage.

Also

No. 2934 Resolution authorizing issuance of a warrant in the sum of \$718.04 in favor of Albert P. Del Sole for claim for damage.

Also

No. 2935 Resolution providing for the correction of typographical errors in Ordinance No. 42 approved December 31, 1978,

Also

No. 2936 An Ordinance adopting the Pittsburgh Code.

Also

No. 2937 Communication from David L. Donahoe, City Treasurer submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of January 31, 1979.

Also

No. 2938 Communication from David L. Donahoe, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of February 28, 1979.

No. 2939 Communication from H.E. Myers, Director, Bu. Medical Services Commonwealth of Pennsylvania, Department of Transportation submitting report on audit of Pittsburgh's Liquid Fuels Tax Fund Account for the fiscal period January 1, 1977 to December 31, 1977.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 2940 Petition from residents of Pittsburgh requesting City Council to hold a public inquiry into the shooting death of Richard Hayes on December 4, 1978 and also to hear testimony of Pittsburgh residents on matter of Pittsburgh Police practices.

Which was read and referred to the Committee on Public Safety.

UNFINISHED BUSINESS

The Chair presented

Bill No. 2853

Resolution approving the re-appointment by the Mayor of Pasquale Navarro of 3620 Dunmoyle Street as a member of the City Development Commission for a term to expire January, 1984.

Which was read.

Mr. Coyne:

Mr. President, I would just like to say that we have not been able to hear from Mr. Navarro in the last two weeks, so I would like to move to hold this bill for one week until he is able to come here this coming Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Stone:

I don't think that what Mr. Coyne is mentioning, nor I, is anti, but we wanted an update, and since it is held for him to be here, then somewhere he will make an appearance in that sense, it is not intended to be anti.

The Chair:

Well, with a name like Patsy Navarro, I'm not anti.

Mr. Givens:

Mr. President, you know this is...not defending or protecting Mr. Navarro, but, this is the first time since I've been on Council where a person was put in for re-appointment that we asked him to come back up again. Are we going to make this a part of our functions or not?

the Chair:

Mr. Givens, I understand there are some new duties connected with the re-appointment.

Mr. Givens:

This is the first time since I've been here on Council that we have asked a person who was re-affirmed a second time around, we asked him to come up to our Council and explain something. Is this a change for a change of rules, or do you just want to hear from this individual?

If so, I think, it is not the individual or the whole organization that you might want to question.

Mr. Coyne:

Mr. President, its not the first time since I've been on this Council that we have asked people to come back when they are being re-appointed.

Mr. Givens:

I said since I've sat on this Council.

The Chair:

I agree with Mr. Coyne, it is not the first time, it is a bit unusual...

Mr. Coyne:

And, as I stated two weeks ago, Mr. President, the reason I wanted Mr. Navarro to come here was to explain the procedures

that have been developed by a body that was created by the City Council. The Economic Development Commission of which he is a member is something that City Council created some years ago, it was not implemented in the early years after we had agreed to develop this kind of department and I think ti would be well to talk to one of the members since we don't have another opportunity to talk to the members, to see the progress of that Commission.

The Chair:

I can understand your feelings Mr. Coyne, being that you were so instrumental in forming the Economic Development Department and as I said, it is a bit unusual, but it has happened before. You are requesting some sort of status report which no doubt, Mr. Navarro can give us. Thank you Mr. Coyne and Mr. Givens.

Also,

Bill No. 2855

Resolution approving the appointment by the Mayor of Joseph M. James of 6375 Eddy Street as Magistrate, City Court for a term to expire December 31, 1982.

Which was read.

Mr. Lally moved for approval.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes 0

And a majority of the votes of Council being in the affirmative, the appointment was approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 2941 Report of the Committee on Finance for March 14, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2793

A Resolution entitled, "Resolution providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward, from April 1, 1979, for a term of one year at a rental of \$630.33 per month, to house the operation of the City CETA Youth Program, upon certain terms and conditions; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8

Noes 1 (MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2803

A Resolution entitled, "Resolution authorizing the issuance of a Warrant in favor of J-Jac Construction Corporation in the amount of Eleven Thousand Eight Hundred and Fifty (\$11,850.00) Dollars in payment for the "Extra Work" in connection with the Reconstruction of Forbes Avenue, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

I will abstain from voting on this bill for reasons previously stated.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none (ONE ABSTAINING,
MR. DE PASQUALE)

And there being two-thirds of the votes of Council in the affirmative the bill passed finally.

Also,

Bill No. 2831

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casciato Brothers, 3301 Hyperion Street, Pittsburgh, PA 15215, in the amount of \$3,800.00

in payment for rebuilding of a gate valve vault furnished for the benefit of the City in connection with City Controller's Contract No. 22888, Rehabilitation of Various Streets and Park Roads 1977 "B" Program, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2837

A Resolution entitled, "Resolution providing for an Agreement of Agreements with Bethany House Ministry, Better Business Bureau of Western Pennsylvania, Inc., Brashear Association, Inc., Carnegie-Mellon University, Community Human Services Corporation, East End Cooperative Ministry, Home for Crippled Children, Lutheran Services Society of Western Pennsylvania, Mattress Factory, Ltd., Nineteen, Inc., PARCWAY Industries, Pittsburgh Free Clinic, Inc., Pittsburgh Regional Library Center, School District of Pittsburgh, South Oakland Citizens Council, Theatre Express, University of Pittsburgh, Women in Urban Crisis, Inc., and Pittsburgh History and Landmark Foundation for the implementation of the Comprehensive Employment and Training Act, and providing for the payment

of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President. I will abstain on this bill for reasons so noted in our discussion last week on the Pittsburgh Free Clinic.

Mr. Lally:

I thought these bills on the Pittsburgh Free Clinic were supposed to be line items.

Mr. Givens:

They were supposed to be but they didn't come out that way. That is my objection, that is why I am abstaining.

The Chair:

Wait, didn't we pull out that one section of it?

Mr. Stone:

No, what City Council had asked for was it list an amount for each one. At the last meeting it was agreed to proceed as is. I don't know if you are aware, Mr. Givens, I got a letter...everyone got one...

Michelle Madoff:

If I got it, we all got it.

Mr. Stone:

Everyone has it? That Pittsburgh Free Clinic is at least saying on paper, in writing, that they do not perform abortions, for what it may be worth...I don't know either way, but I know I got a letter to that effect.

The Chair:

I don't think it was ever the question, Mr. Stone, whether they performed abortions or not, the question raised was do they give advice to people who may be seeking an abortion.

Mr. Givens:

That's right.

The Chair:

The first answer was that they did, from Melanie Smith, and then she retracted and said she didn't say that and this is what sort of caused the confusions.

Mr. Givens:

But, again, Mr. President, we asked that this be a line item, so that when voted on it could be a line item. I want to vote on everything in there with the exception of that one...Pittsburgh Free Clinic. And I had asked when it came up, it was designated by line, but when we voted on it Wednesday, it was passed over the desires, but...

Mr. Lally:

It was voted on a line item on Wednesday and the vote was 6 to 3.

The Chair:

Then, Mr. Givens you must either vote for the bill or gainst it as a whole, or abstain, but you can't vote on it as a line item because it was ruled out.

Mr. Givens:

Well, then, the whole item right now, and as a line item it should not be in there is what I am saying.

the Chair:

You've got no choice, you vote up or down or abstain.

Mr. Givens:

I am abstaining and my reasons for abstaining are that when this type of legislation comes forward I like it to be by line item so that it is not in the text of the bill, so I am not denied from voting on the other areas that are worthy within this bill and ones that I am concerned about in this particular bill. I have no choice right now but to abstain because it was not done according to at least my desires at that particular time.

Mr. Lally:

I shall abstain for the same reasons stated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coynes
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
(Pres't)

Ayes 6

Noes none (THREE ABSTAINING - MR. GIVENS,
MR. LALLY AND MR. DE PASQUALE)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2839

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 2840

A Resolution entitled, "Resolution providing for the issuance of a warrant to Elmer Stamos in the amount of \$1,181.31 in full settlement of claim for damages to his parked automobile, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2841

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg & Hodge, Court Reporters in the amount of \$975.20 in payment for stenographic transcript of a hearing before the Appeals Board regarding the appeal of Dorian Arlett which was held on January 4 and February 1, 1979, furnished for the benefit of the City without previous authroity of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the quesiton, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Basloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2942 Report of the Committee on Public Works for March 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2804

A Resolution entitled, "Resolution amending Resolution No. 61, approved February 6,

1979, effective February 9, 1979, entitled, 'Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering services in connection with the inspection and design of the Larimer Avenue Bridge and providing for the payment of costs thereof', by correctly identifying the source of funding."

Which was read.

Also,

Bill No. 2805

A Resolution entitled, "Resolution amending Resolution No. 88, approved February 12, 1979, effective February 14, 1979 entitled, 'Resolution providing for a Contract or Contracts in connection with the demoliton of the Fulton Street Footbridge; and providing for the payment of costs thereof', by increasing the total allocation from \$41,000.00 to \$41,700.00."

Which was read.

Also,

Bill No. 3806

A Resolution entitled, "Resolution further amending Exhibit 1 and Section 3 of Resolution No. 675, approved 8-16-76, as amended by Resolution No. 747, approved 8-16-77, and amended by Resolution No. 1020, effective 10-27-77, as amended by Resolution No. 4, effective 1-31-78, as amended by Resolution No. 725, effective 6-30-78, as amended by Resolution No. 827, effective 8-3-78, as amended by Resolution No. 1333, effective 11-30-78, as amended by Resolution No. 21, effective 1-19-79 entitled: 'Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurance; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized

signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account,' by increasing Parks and Recreation allocation by \$15,000.00 in Section 3, creating new line items and amending project identification numbers in Exhibit 1."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2943 Report of the Committee on Planning, Housing and Development for March 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2807

A Resolution entitled, "Resolution providing for a Third Supplemental Agreement for the Oakland Loop Bus ?Reduced Fare Loop Bus Project) and providing for the payment of the cost thereof."

Which was read.

Mr. Givens:

Mr. President, on Bill No. 2807, that is the Oakland Reduced Fare Loop Bus Project, Bill had some information as to what happened at a meeting that transpired this past Friday. I had shown some concerns on this particular appropriation last Wednesday, but I think that meeting might have cleared it up, Bill...

Mr. Coyne:

Well, the meeting was held between Director Paul Cain from the area Housing and Urban Development, and representatives from the community group interested in continuing the service of the bus loop in the Hill District and Oakland. It was determined that the City is going to submit some neighborhood strategy areas to HUD, one of them being Manchester, the other one being Homewood and Hazelwood and that it would be possible to include the Hill District and Oakland as a part of that it would clear up much of the reluctance of the planners for this program.

Mr. Givens:

That answers my question, thank you.

Also,

Bill No. 2808

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mackin Engineering Company for engineering services in connection with the Bell Farm property and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2809

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh with respect to, and not to exceed

Three Hundred (300) units of low-rent housing, and providing for the acceptance by the City of Pittsburgh of payments in lieu of taxes from said Authority."

Which was read.

Also,

Bill No. 2810

A Resolution entitled, "Resolution providing for a Second Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh amending the Community Development Block Grant Cooperation Agreement of 1978 by providing for the re-allocation of \$75,000 from the Home Repair Loan and Grant Program to a Contingency Fund for contract completion; and amending Resolution No. 860, effective August 9, 1978, as amended by Resolution No. 1556, effective December 31, 1978."

Which was read.

the Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2811

A Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 4-G-Lot Numbers 254, 256, 249 and Block 4-C-Lot Number 94."

Which was read.

the Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes one (MR. ROBINSON
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2812

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gilbert A. Smith, Jr. and Peggy A. Smith for the sale of Parcel 122 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also, Bill No. 2813

A Resolution entitled, "Resolution approving a form of Contract for disposition of Land by and between the Urban Redevelopment

Authority of Pittsburgh and Jessie J. Holly and Ruby Holly for the sale of Parcels 88, 89 and 90 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 2814

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doris M. Hardy for the sale of Parcel 117 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 2815

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Norval G. Lyle for the sale of Parcels 19 and 20 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2816

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph W. Richey for the sale of Parcel 14 in the Twenty-First ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2817

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by

and between the Urban Redevelopment Authority of Pittsburgh and Deborah E. Mottsman for the sale of Parcel 31 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2818

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert V. Edmunds for the sale of Parcel 209 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2819

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Elizabeth Ivey for the sale of Parcel 47E in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2820

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marsha J. Tomlin for the sale of Parcel 165 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2821

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by

and between the Urban Redevelopment Authority of Pittsburgh and Tom W. Akkerman for the sale of Parcel 233 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2822

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carl R. Smallwood and Kathryn Smallwood for the sale of Parcel 111 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2861

A Resolution entitled, "Resolution amending Resolution No. 134, approved February 26, 1979, effective March 1, 1979, entitled, 'Providing for an Agreement or Agreements with Detwiler Associates Pittsburgh, for the planning, conduct and evaluation of a citizen participation conference on connection with the City's citizen participation plan and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2944 Report of the Committee on Supplies for March 14, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2836

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Eleven (11) One Ton, four-wheel drive, pick-up trucks, less trade-ins, for the Bureau of Automotive Equipment, Department of Supplies, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 2945

Report of the Committee on Parks and Recreation for March 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2833

A Resolution entitled, "Resolution amending Resolution No. 99, approved February 13, 1979, effective February 16, 1979, entitled: 'Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost, which is not to exceed \$30,000, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation,' by changing the code account to Code Account 1833, Concerts."

Which was read.

Also,

Bill No. 2834

A Resolution entitled, "Resolution providing for an agreement or agreements with the Duquesne University Tamburitians for the furnishing of dance performances to the residents of the City of Pittsburgh during 1979; and providing for the payment of the cost which is not to exceed \$10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read

Also,

Bill No. 2835

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost which is not to exceed \$9,500.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 2946 Report of the Committee on Public Safety for March 14, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2802

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commission on Crime and Delinquency for a grant in connection with the Special Police Unit Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Special Police Unit Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Mr. Bulls moved to recommit Bill No. 2802.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Lally presented

No. 2947 Report of the Committee on Lands and Buildings for March 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2823

Resolution repealing Resolution No. 10, approved January 16, 1979, which authorized the sale of property on Murray Avenue in the 14th Ward designated as Block 87-K, Lot 57, to Edward M. Goldston, for the sum of \$1,000.00. Hand money in the amount of \$100.00 to be refunded.

Which was read.

Also,

Bill No. 2824

A Resolution entitled, "Resolution amending Resolution No. 1074, effective November 16, 1977, entitled: 'A Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended, entitled "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds" by reallocating funds for the Department of Lands and Buildings, and creating an additional project', by reducing the project allocation and transferring funds to the respective account."

Which was read.

Also,

Bill No. 2826

A Resolution entitled, "Resolution repealing Resolution No. 1079, approved October 2, 1978 for the sale of property in the 28th Ward located on 1333 Greenway Drive, Block 41-K Lot 125, to Paul J. Bart, for the amount of \$3,588.00. Hand money in the amount of \$358.80 to be returned to purchaser for the reason of damages during excavation on adjoining property."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2828

A Resolution entitled, "Resolution providing for a lease renewal to COLUMBIA GAS COMPANY for a term of twenty (20) years for a 8" gas line within the limits of McKinley Park, between Suncrest Avenue and Bausman Street for a yearly rental of One (\$1.00) Dollar."

Which were read.

Mr. Robinson:

Mr. President, on Bill No. 2828, I raised some concerns last Wednesday and I've had a chance to do some research. This was in regards to the arrangements that we have with Columbia Gas for the renewal of this particular lease and what, in fact, the City of Pittsburgh is getting in return.

I raised these concerns because many of our citizens are approaching their high utility bills and they are constantly asking what, if anything, the City of Pittsburgh can do. I personally think that a \$1.00 rental is not in keeping, certainly with what Columbia Gas is capable of paying, and I don't think it is in keeping with our stated concern about many of our residents who are serviced by Columbia whose gas bills are constantly going up.

What I also did was, in trying to get the research on this, I went and got our gas bills, the natural gas bills for the City of Pittsburgh and from the beginning of last year, 1978 through February of 1979 which is fourteen months, we have paid a total of \$214,977.98, this has not been all paid to Columbia Gas, most of our gas bills are with Equitable or Peoples and I would assume that we have some similar kinds of lease arrangements with them.

I certainly think it would be in order to have this particular piece of legislation sent back to committee since there appears to be no time restraint, that is, this new lease agreement wouldn't take effect until July. This would give us some opportunity to talk with people from the various natural gas companies in terms of what kind of public benefit is the City receiving for them to utilize our property, in this specific case, \$1.00 over twenty years. . . that is \$20.00 that Columbia would pay to us. I'm sure all of us are aware that there is an awful lot of gas that goes through an 8" gas line and I think if we look at some of the bills of our City residents and project them over twenty years, that Columbia certainly should be more than willing and able to pay more than a dollar, so I would like to move that the bill be recommitted for those reasons.

Mr. Bulls seconded the motion.

Mr. Lally:

Mr. President, I feel that the dollar is not enough money without any question, but if we do change it and raise the price and negotiate a price with Columbia Gas that they are only going to pass it on to their customers anyhow, to our taxpayers. What's to prevent Columbia Gas from also replacing the line and not running through McKinley Park to which sound they don't have to give services to our citizens in McKinley Park and Beltzhoover and places like that, Suncrest and Bausmann Street. This is a utility, a right-of-way that has been used for years and years and years, and I'm not defending the gas company by any means, but I don't know where we can negotiate a price like this is not going to affect our taxpayers.

Mr. Robinson:

Mr. President, I don't want to belabor the point and I think Councilman Lally's points are well taken, and I thought about that in the total context of trying to deal with this in such a fashion that we are not trying to punish the gas companies. I am not trying to put them on trial or anything, I am simply saying that the PUC designates where the gas companies are going to service. Columbia gas has got to service that area, they have got to do it whether we charge them \$1.00 or \$500,000, and certainly with this being a renewal, I would daresay the previous lease was also for \$1.00. That might have been twenty years ago, and I'm just saying that over a period of time it would seem to me that naturally, that lease agreement price would go up. Also, more specifically now that we have citizens coming to us asking for relief and we say we are going to try and we say there are very few things that we can do. . . for us to sit and give a utility company public property for basically nothing, and then tell the citizens that what they are getting in return is service is not true. They get the service whether we give them this lease or not, for one dollar, they are going to get the service because the PUC says that they get the service. I just think that it is hard for us to defend our position of looking out for the best interest of

our consumers who are consuming this natural gas, when we have a grievance with the utility company that we are literally giving away public rights and we are not getting anything in return.

Now, maybe what we want in return is not dollars, I don't know, but it just seems to me that this is an appropriate time to review all these leases, all these agreements that we have with these utility companies.

Our light bill for the City of Pittsburgh is \$200,000 plus a month. We are affected just like everyone else. I just finished mentioning that all the money that we have paid in natural gas costs, as a consumer how can we justify letting them use this property for \$1.00 for twenty years? If the rate of inflation is only 5% per year, you can see what it means to charge them a dollar a year over twenty years.

Mr. Lally:

Mr. Chairman, I have no qualms with what Bill is talking about and I think the courtesy ought to be granted to the Councilman if he wants the study. But, I would like it to be referred over to our Law Department to see if it is legal to do this first.

Mr. Robinson:

Well, personally, I am going to vote no as I did before. I am now speaking out of my concern that this Council not engage in some kind of activity that is contradictory to what we have already said to the public and where there are people who are pretty anxious about this kind of thing, I personally don't think this is something that we should rush into because I can see it coming back to haunt us. . .that is my concern, but I am going to vote no if we proceed right now, out of my own personal concern.

The Chair:

I have only one comment to make and I am not trying to belittle anyone, I just think that it is an exercise in futility. If we do raise the rental, they are no doubt going to place the cost on the consumer and they will do this

very quickly by getting the permission from the PUC and their history has always been that they favor the utility companies and they are not about to stop favoring them now. So, one way or the other, Columbia Gas is going to raise that rate if we raise their rental.

Mr. Robinson:

Mr. President, I don't think that this should be used as a reason for use not to act responsibly.

The Chair:

I get your point Bill, I know what you are driving at 100%.

Mr. Robinson:

I mean, there are some things that are out of our control. Columbia Gas and the rest of the utilities are obviously going to raise their rates regardless of what we do, they have done that in the past. Maybe the question is how much they are going to raise it. I am simply saying that at some point if we continue to say we are willing to help, we have got to do something. If not, let's just tell people that it is beyond our control to help and let's not do anything, but we are acting on behalf of the citizens of this city when we sit here, it seems to me we are contradicting ourselves.

Mr. Givens:

Mr. President, I would just like to add one comment, and I have to go back to the energy shortage of just a couple of years ago wherein the gas companies were telling various consumers that they had, as customers that they were cutting their gas allotment off. And, of course, most of this was felt within the business communities. I think although there is plentiful supply right now, I wonder when our energy situation comes in the future, that this Council has to be concerned about responsibility of these utility companies, especially on natural gas, that they don't cut back the service. I would think that we are getting into a time of an energy crunch and if we start messing

around with rights-of-ways, that they might be more than happy to say, no, we don't want to serve that particular line any longer, thus denying natural gas, but the PUC then, will step in and force them to do so. This is a very ticklish area that we are getting into, and my concern is that there are areas in the country that cannot get gas right now. You can build a building downtown here, or a factory along our river, and you are denied access for one reason. . . you can't get the gas, the gas company won't supply it to you.

Mr. Stone:

Mr. President, if I may, first of all, I sympathize with Councilman Robinson's thought that we ought to try to do something rather than lip service in an effort to do something with the utilities. I think in fairness, that is long overdue. I believe however, that doing it on this bill is not appropriate. I would be less than fair, having some legal background, not to bring it to your attention that the reason for the dollar consideration is not to get some revenue for the City of Pittsburgh, but rather to create a relationship of contract and a lease arrangement whereby a liability is therefore switched from the City of Pittsburgh to the utility. That and that alone is the only reason for the dollar consideration and not as a revenue measure.

I think they ought to be divided up. It should not be done on this bill, but I join in his thought that somewhere there should be some government pressures on all levels on the utilities. I don't know how we could possibly continue as we are presently doing, trying to give some exemptions to people and yet at the same time, letting the utility go rampant and the government is not watching until after the fact. In the meantime some of the people in this city pay anywhere from \$100 to \$200 extra on their gas bills. But I think that is a separate issue from the bill, but with the legal background, the dollar per year is not intended for revenue, but merely to create the contractual relationship which transfers liability.

Mr. Coyne:

Mr. President, inasmuch as there is no emergency for this bill and there seems to be

a request for more information about what the City can do or can't do and the advisability of doing it, I would support a motion to recommit.

Mr. Givens:

I would like to make an amendment to the motion that it be recommitted to the legal department, who are we going to recommit it to?

Mr. Robinson:

It has to be recommitted to the committee. Once it gets back to that committee, then I think we can determine what action should be taken. I would also like to mention that I did talk to Mr. Fine in the Legal Department and I think it is very appropriate to bring in someone from our Legal Department and I think it is very appropriate to bring in someone from our Legal Department since we have a utility counsel and very seriously discuss this thing with them. I'm glad Mr. Stone raised the point that perhaps we do need to deal with this and I'm not suggesting that this one company be singled out. I think that the time is now to do something and there doesn't appear to be any urgency. . . the line is already in, they are already using it.

Mr. Lally:

They've been using it for forty years.

Mr. Robinson:

Right, it has been there.

Michelle Madoff:

We also have a lawsuit from the City, if I am correct, opposing Duquesne Light's rate increase. . . am I correct?

Parliamentarian:

That is correct.

Michelle Madoff:

That is objecting to the increase in rates. . . and I might add, Mr. President, that a year ago, I spearheaded a project called

Energy Outlook '78 which had representatives of over 100 companies and the outgrowth of the conclusions of that particular seminar were that we can do something for example, we can pass a "sun rights bill" in the City of Pittsburgh which means that anyone putting in solar energy would not have their sun obstructed by higher buildings of by trees. We haven't done that, I plan to introduce that to Council in the near future. We can also support an effort that I have made on behalf of the citizens of this community to our legislators, all of the congressmen in Washington, that we have a tax credit to all citizens for energy conservation, whether it is just insulating your house, or weatherizing, and so, it isn't just \$2,000.00 which is a joke, when it really costs you something like \$15,000. So there are a lot of things we can do as a body and I have always asked since the day I got here why we don't have a committee on Council that addresses itself to energy conservation.

Mr. Bulls:

Mr. President, I agree wholeheartedly with Councilman Robinson, with the outrageous utility bills that we have in this state and in this country it is a disgrace for us to give utilities a right-of-way for \$1.00.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8

Noes 1 (MICHELLE MADOFF
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was recommended.

Also,

Bill No. 2829

Resolution providing for the filing of a petition or petitions for the sale of certain properties acquired at tax sales in accordance with Act. No. 514 of 1947 as amended.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Stone presented

No. 2948 WHEREAS, the South Side of the City of Pittsburgh has been and presently remains, a stable and responsible community in the City of Pittsburgh, and

WHEREAS, the South Side of the City of Pittsburgh and the South Hills area of Allegheny County, have heretofore, been served by two (2) hospital facilities, namely the St. Joseph's Hospital and the South Side Hospital, and

WHEREAS, the St. Joseph's Hospital did remove its facilities from the South Side of this City, to Jefferson Borough, leaving to remain one (1) Hospital facility, namely the South Side Hospital, and

WHEREAS, there does, in fact, still exist a need for a hospital facility and care, and

WHEREAS, the South Side Hospital has been providing and still does provide quality professional hospital care and at a lower rate of cost, and

WHEREAS, the South Side Hospital, after study of its needs and ability and in order to continue to provide quality professional service and at a lower rate of cost, have determined that a new 255 bed hospital facility, is necessary and financially attainable, and

WHEREAS, the Citizens of the South Side and the South Hills area, have wholeheartedly endorsed this Project and have offered their moral and financial, encouragement and assistance, and

WHEREAS, this Project must receive the approval of the Health Services Agency, before it may proceed.

NOW THEREFORE, the Mayor and the City Council of the City of Pittsburgh, do this 19th day of March, 1979, Resolve as follows:

1. THAT the Mayor and the City Council of the City of Pittsburgh, wholeheartedly endorse and support the new 255 bed South Side Hospital facility and Project; and

2. THAT the Mayor and the City Council of the City of Pittsburgh, strongly solicits and encourages the Health Services Agency and any and all other Governmental Agency or officials, on all governmental levels, to support and approve this worthwhile Project, so vital and necessary to the South Side, the South Hills area and this City in general; and BE IT FURTHER RESOLVED;

3. THAT the Mayor and the City Council of the City of Pittsburgh, strongly solicits and encourages all of its citizens to support and further the cause of this Project, in any way possible.

Mr. Stone moved for approval.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Stone:

Mr. President, if I may, you know we are reaching an era with our comprehensive health, which I begin to sometimes wonder whether we are educated or uneducated because I am at a loss to understand the actions. We are told and led to believe that consolidation will apparently reduce our costs and yet, the reverse is true.

The South Side of the City of Pittsburgh had two hospitals at one time and to my knowledge, right before the St. Joseph's Hospital, I personally saw people in the hallways because it was overcrowded. We are now led to believe that they don't need any hospital there at all.

I am hard put to understand that because the area now, admittedly has more elderly who need the facilities, probably more. Recently 150 people moved into Carson Plaza freeing up housing in that area for families to now replace one or possibly two people who heretofore lived there.

We have been making major commitments to that area and all of this is even though it is admitted and it is acknowledged that there is a need. And, even though it is admitted that the hospital presently is, in fact, providing a lower rate of cost. It is, if nothing else, a good example where a good, stable neighborhood of good, stable people seem to be rewarded in a reverse fashion by a denial.

Regrettably, I've had an opportunity to participate with this recently and see how the health agencies operate. I would like to add just a personal note in that aspect of it. I am beginning to see, which I did not before, an inter-medical family circle bit of politics played at the expense of this City. I would hope it would stop, and if it doesn't, its time for us to stand up for our particular rights in this City. I do not believe it is in the best interest of this City that this project be denied, because a hospital facility is acknowledged

as being needed. It is also the second largest employer in the South Side of the City of Pittsburgh. It is, in fact, providing service at a lower rate.

I spoke to the Mayor relative to this matter and he has consented to my addition of the Mayor's Office as a party to this resolution. I will wholeheartedly request that City Council endorse this project.

The Chair:

Mr. Stone, this is quite an appropriate resolution. You do know that today is St. Joseph's Day, don't you?

Mr. Stone:

Well, I wish we had St. Joseph to help us.

Mr. Lally:

We need him.

The Chair:

It's a big feast day in Italy, you might go over there.

Mr. Lally:

Mr. Chairman, I also attended that meeting that Bob Stone is speaking of, last Wednesday night over in the South Side at South Side Hospital, and Councilman Stone did promise the community that he would introduce this resolution today and I was glad to see that the vote was unanimous because that is what the citizens of South Side were told.

Mr. Stone:

Mr. President, if I may, and I make this as a personal note...one of our local newspapers that covered the very meeting that Mr. Lally is talking about, seemed to infer that I was running for office. I think that was designed to perhaps say I would have said otherwise if I were not running for office.

The Chair:

Another mis-quote.

Mr. Stone:

I believe that to be inaccurate, but, nevertheless, that is the mentality of some people whether they be in the communication field or otherwise. But, aside from that, I had an opportunity to attend a meeting last Thursday which disturbed me even more. I went and asked the individual there, who was presiding at the Health Services Agency of Allegheny County whether or not he would give me as a City Councilman an opportunity to speak. That was denied. I indicated to him that this was a City project and as far as I was concerned I thought that should happen. That was denied and judging by the way he conducted the meeting, it was very obvious to me that he knew in which direction he wanted to go because there are at least four instances which I personally viewed and which he was attempting to railroad that thing through. I think this is about time.

We lost St. John's with the approach that they have gone. We have lost some other hospital facilities, it seems that nobody is caring about the patients anymore and it is about time that we start doing it. I don't see how you can take the facility that is giving us the hospital care at a lower rate and replace it, or say, "you consolidate", but nevertheless pay more money. If that is the route, I think it is about time we stand up. This is a thing that has bothered me even more, rather than purely being a South Side project.

Michelle Madoff:

Mr. President, new subject...for some time now, I have been disturbed about certain aspects of "perqs" meaning prerequisites or freebies that City Council Members are offered perhaps for no reason except that they like us. Something has brought this to a head and I think it is important that I bring it to Council.

I would like to go back and point out that on February 5th, as a new Member of Council, the Three Rivers Management Corporation decided that they...they discovered that I was on Council and wrote me a letter:

Dear Madam:

Three Rivers Management Corporation would like to offer to you this year, one of the Three Rivers Stadium inner-circle parking spaces for all events at the Three Rivers Stadium. These spaces are very limited and we ask that you use it for your personal parking only.

Please advise us if you would like this pass by March 1.

On February 12th, I responded by saying:

Dear Mr. Goldby:

Thank you for your offer of parking space at Three Rivers Stadium, inner-circle parking area, however, I feel I must decline this offer as I do not adhere to the principal of "perqs" for elected officials, particularly for entities, for issues may come before Council that would call on me to cast a vote.

Subsequently, without mentioning Councilmembers names, I heard that we also had "perqs" for the Allegheny Club. We checked it out and they apologized, we called just to get information..."oh, we forgot to give you one", its only \$10.00 a year and I understand its something like \$650 for the average citizen.

I would like to call Council's attention to the Home Rule Charter, 706 prohibits prohibitions in general:

"No elected official, officer or employee, shall in any manner receive benefit from the profits or emoluments of any contract job, work or service for the City or accept any service or thing of value directly or indirectly upon more favorable terms than those granted to the public generally."

I think that an inner-circle parking space for nothing would certainly be something that is more favorable terms than those granted to the public generally.

It goes on, and everybody probably has read it or you may want to read it again, but it closes with:

"This Section shall be broadly construed and strictly enforced, any violation of this Section shall call the offending official, officer or employee to forfeit office or employment."

Subsequently, the thing that brought this to a head is that about sevenmonths ago, I went over to Pitt to discuss with the Graduate School of Public Health, the possibility of setting up a proposal and a system under the new Safe Drinking Water Act that could save the City a tremendous amount of money and give us a much better reading on water...

The Chair:

Wait a minute, are we jumping from passes to water?

Michelle Madoff:

No., I'm on the same thing...I'm going to Pitt...

The Chair:

Are we jumping from passes at Three Rivers to water now?

Michelle Madoff:

No, I think you will follow me, you are bright enough to follow me I'm sure...

The Chair:

Well, I find it difficult.

Michelle Madoff:

I never did get the proposal, I subsequently wrote to Mr. Posvar pointing out that the proposal never did arrive, but that I had been offered, I did not point this out in the letter, but I had been offered by Pitt free tickets to the games. When Mr. Tronzo offered them to me, I said, "Lou, I can't take them because I am waiting for a proposal from Pitt and I would feel very uncomfortable doing that." He said, "Michelle, we've been friends for years, you are not taking them from Pitt, you are taking them from me." I must confess, I took them but I couldn't use them, my husband went out and bought his own.

I think we need guidance in Council as to what "perqs" we can morally accept, what will not be in violation. We need a legal opinion of the Home Rule Charter. Such things as theatre passes, Pitt tickets, Allegheny Club, and the use of chauffeur automobiles that we have in Council. When can we use them, when shouldn't they be used? Should they be used to take people to work and take them home from work on days they are not in Council? We need clarification on these issues. I think it addresses itself under Section 706 of the Home Rule Charter and we could be in very serious violation.

Now I didn't know whether it was appropriate and legal counsel will have to direct me, to introduce an ordinance, I will write of course, and ask. I don't think we can write an ordinance, you already have the Home Rule Charter...are we in violation, are we not in violation?

I also was given a pass to a theatre and all of the Members of Council were offered the same pass. I called the company and found out they were not in the City at all. I think the City Council Members got them because they just gave them to elected officials. I asked them why we got them, they said they wanted us to see what went out on it, their beautiful fine parking and their beautiful theatres in the suburbs. Well, you know, I personally am very offended and very upset that theatres in the City having to pay amusement tax, unlike those out in the suburbs who also have the free parking space, charging the same space are having great difficulty. You go to those movies, they are empty in the City. There is a hardship placed on our own businesses and I would like very much that we resolve this issue because I think we are in violation legally, in a very serious way, on the Home Rule Charter.

I guess the order of business then would be for Mr. Perry to write a letter to the legal department and then for us to list the "perks" and to discuss whether we can indeed accept them or even though we have them reject them for those who have accepted them.

The Chair:

Do you have anything else to add?

Michelle Madoff:

I think that's it.

The Chair:

You sort of neglected to say that you called the University of Pittsburgh to find out if my wife worked there. You neglected to say that.

Michelle Madoff:

That is an outright, absolute lie and you know that you cannot find anything to nail me with...

The Chair:

I have the floor now...

Michelle Madoff:

You seek to this low-level of gutter fighting which I find abhorring.

The Chair:

You made the statement that my wife works for the University of Pittsburgh which is a downright lie.

Michelle Madoff:

I never said that, I don't even know if you have a wife, do you have a wife? I never asked anybody.

The Chair:

Thank God she is a lot nicer than you.

Another thing, she also neglected to say that she told my brother yesterday that I am manipulated by Mr. Robinson and Mr. Stone. That I am a puppet on a string. I'd like you two gentlemen to know that.

Call that a lie too!

Michelle Madoff:

That is not what I said, I said that you use Mr. Stone as your role model, but you weren't a bad person, but obviously you are manipulated, so what can one do?

Mr. Givens:

Mr. President, I would like to say one thing...

The Chair:

For the record, my wife doesn't work for the University of Pittsburgh, and if she did it would be no disgrace and I wish she did because I could use the income.

Mr. Givens:

You know. I don't want the overtone and cast of receiving a \$10.00 fee to the Allegheny Club, I've never used it yet in my own capacity.

The Chair:

Dick, please, don't get in the gutter with her.

Mr. Givens:

No, please...

Mr. Lally:

I have one, we all have one, I had one as an honorary member.

Mr. Givens:

Right.

Michelle Madoff:

I'd like to get a legal opinion saying that you are really in serious trouble.

The Chair:

We can't get a legal opinion on whether or not the Charter is a legal Charter.

The last two Mayors have completely ignored it.

Mr. Stone moved to approve the minutes of Monday, March 12, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone.

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, March 26, 1979

No. 13

Municipal Record

ONE - HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, March 26, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2949 Resolution providing for the issuance of a warrant in favor of Clement's Marine Sales, Inc., 702 River Avenue, Pittsburgh, Pennsylvania 15212, in the amount of \$993.00 in payment for repairs to the River Patrol Boat, furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2950 Resolution providing for an agreement with Troy Hill Citizens, Inc., for the installation of park benches and a split

rail fencing in and around an area leased from the City of Pittsburgh for park purposes.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne presented

No. 2951 An Ordinance supplementing Section 2 and Section 3 of Ordinance No. 335, entitled: "An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh and providing penalties for the violation thereof", approved October 3, 1922 as amended and supplemented.

Also

No. 2952 An Ordinance supplementing Section 2 and Section 3 of Ordinance No. 335, entitled, "An Ordinance Regulating the Use and Operation of Vehicles on the Streets of the City of Pittsburgh and providing penalties for the violation thereof", approved October 3, 1922 as amended and supplemented.

Also

No. 2953 Communication from John E. Ruff, Director of Public Works, requesting interim approval of payment of \$574.00 for extra work in connection with sidewalk construction at various locations (Community Development) Controller's Contract No. 22999-F.

Also

No. 2954 Communication from John E. Ruff, Director of Public Works, transmitting traffic regulations to be instituted on Bracey Drive and other streets listed therein for 60 day trial period, beginning March 21, 1979.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2955 Resolution providing for an agreement with Crossgates Inn, Oakland for the use of a conference room and provision of food and beverages for a Citizen Participation Conference on April 7, 1979.

Also

No. 2956 Communication from Paul C. Brophy, Director of Housing, requesting permission for Mary Lou Daniel and Donna Chapman, to attend workshop on recruitment of volunteers Pittsburgh, PA, April 17, 1979, at a cost not to exceed \$50.00, payable from the 1978 Community Development Block Grant Trust Fund, Housing Department, Administration, CDHD (HD-78-13).

Also

No. 2957 Communication from Paul C. Brophy, Director of Housing, requesting permission for Rachel Meyers, to attend conference on "Historic Preservation and the Minority Community" sponsored by The Manchester Citizens Corporation, Pittsburgh, PA, April 5-7, 1979, at a cost not to exceed \$25.00, payable from the 1978 Community Development Block Grant Trust Fund, Housing Department, Administration, CDHD (HD-78-13).

Also

No. 2958 Communication from Paul C. Brophy, Director of Housing, requesting permission for Rachel Meyers, to attend conference on "How Legislation Affects Your Business and What You Can Do About It" sponsored by Builders Association of Metropolitan Pittsburgh, Pittsburgh, PA, March 27, 1979, at a cost not to exceed \$15.00, payable from the 1978 Community Development Block Grant Trust Fund, Housing Department, Administration, CDHD (HD-78-13).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 2959 Resolution Repealing Resolution No. 1349, approved 11/27/78,

which authorized the sale of property in the 26th Ward on N. Charles Street, Block 45-M, Lots 111-112-113 to Keith and Brenda J. Younger for the sum of \$600.00. Purchaser requests cancellation of sale due to financial difficulties. Hand money of \$100.00 to be returned by the Department of Lands and Buildings.

Also

No. 2960 Resolution Repealing Resolution No. 415, approved October 18, 1974 for the sale of property in the 5th Ward on Davenport Street, Block 10-N, Lot 51 to Deloris Corley for the sum of \$950.00. Purchaser has not complied to agreement of completing sale and hand money in the amount of \$150.00 shall be forfeited.

Also

No. 2961 Resolution Repealing Resolution No. 1086, approved 11/10/77, which authorized the sale of 3-2 sty. brk. hses. on 1605-07-09 Brighton Place, 25th Ward, to Patricia G. Clark for the sum of \$1,500.00. City cannot give clear title due to a defect in the title. Hand money of \$150.00 will be returned to purchaser by Department of Lands and Buildings.

Also

No. 2962 Resolution Repealing Resolution No. 1373, approved 12/1/78, authorizing the sale of property in the 26th Ward 3016 Perrysville Avenue, Block 77-J, Lot 9, to Joseph Krasicki Jr. for the sum of \$200.00. Intended use denied as it is not permissible due to R-2, Zoning. Hand money of \$100.00 to be returned to purchaser by the Department of Lands and Buildings.

Also

No. 2963 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2964 Petition from residents in the area of the Bloomfield Bridge requesting a hearing before City Council on the Bloomfield Bridge Project.

Which was read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 2965 Resolution amending Resolution No. 1286 - effective November 24, 1978 - entitled: "Authorizing the Issuance of a Warrant in favor of Midwestern-/Incorporated, in the amount of Three Thousand One Hundred Eighty (\$3,180.00) Dollars, in payment for work performed at Phillips Park Swimming Pool and Bathhouse furnished for the benefit of the City without previous authority of law; and providing for the payment thereof", by decreasing the authorization to Two Thousand Three Hundred (\$2,300.00) Dollars.

Which was read and referred to the Committee on Finance.

Also

No. 2966 Resolution amending Ordinance No. 694 of 1975 which amended Ordinance No. 531 of 1975 which amended Ordinance No. 453 of 1975 - entitled: "An Ordinance providing for the letting of a Contract or Contracts for the Renovation of Ballfields at Various Locations in the Department of Parks and Recreation and providing for the payment of the cost thereof" by decreasing the authorization to Seventy Thousnad Five Hundred Seventeen Dollars and Twenty-Seven Cents (\$70,517.27).

Also

No. 2967 Resolution providing for an agreement or agreements with Three Rivers Arts Fesitval for the purchase and installation of the sculpture "Pittsburgh" in connection with the Department of Parks and Recreation Public Art Program and providing for the payment of the cost thereof.

Also

No. 2968 Resolution providing for an Agreement or Agreements with Architects/-Engineers/Landscape Architects or Surveyors, for Professional Services in connection with the design of Various Playgrounds in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 2969 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of funds in Special Summer Food Service Program account.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2970 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of magnetic locaters for the Department of Water, and for the payment thereof.

Also

No. 2971 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of physical fitness outdoor trail courses, for the Department of Parks and Recreation, and for the payment thereof.

Also

No. 2972 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of equipment for pools (hydropumps, diving standard, guard chair

seats, etc.), for the Department of Parks and Recreation, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 2973 Resolution authorizing the Mayor to enter into an agreement or agreements with Johnson and Higgins of Pennsylvania, for actuarial and related services and studies of the Municipal Pension Funds, the Policemen's Relief and Pension Fund, and the Firemen's Relief and Pension Fund, and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 2853

Resolution approving the re-appointment by the Mayor of Pasquale Navarro of 3620 Dunmoyle Street as a member of the City Development Commission for a term to expire January, 1984.

Which was read.

Mr. Stone moved for approval.

The Chair:

Is there any discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Glvens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the re-appointment was approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. Report of the Committee on Finance for March 21, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2872

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Coffey Construction Company, in the amount of \$4,338.20 in payment for services furnished for the benefit of the City in connection with improvements at the City-County Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2881 A Resolution entitled, "Resolution providing for the issuance of a warrant to Winnifred C. Crosta in the amount of \$3,000.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 2882

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Company in the amount of \$414.00, payment for Workmens Compensation Insurance Endorsement to Policy No. WC 163122 for the benefit of the City without previous authority of law, chargeable to and payable from CETA Trust Fund, federal funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noew none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2925

A Resolution entitled, "Resolution providing for a contract for the operation of the parking concession at the Monongahela Wharf."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Lally:

Mr. President, I've got a question on the bill on the parking concession for the Mon Wharf. Is Mr. Donahoe the only one who has to okay that before it is finalized?

Mr. Stone:

We've authorized him to enter into a bidding procedure in which the terms have been set in advance and the highest responsible bidder then would be awarded the contract.

Mr. Lally:

It doesn't have to come back to Council?

Mr. Stone:

It doesn't have to come back to us for an approval.

Mr. Lally:

That was my question, I didn't realize that was happening last Wednesday . . . when we were doing that. I must have missed that.

Mr. Givens:

I am voting no on this bill because I think our Parking Authority ought to take over that bloody garage down there because they have a lot of the other parking concessions in the City of Pittsburgh. It is City of Pittsburgh property, I don't know why our Parking Authority can't take it over.

Mr. Lally:

I am going to vote no for the same reasons stated by Mr. Givens.

Michelle Madoff:

Question . . . does anyone happen to know whether it is true that Connolly is not union, but the highest bidder was union . . . do you know for a fact?

Mr. Lally:

I know for a fact that is true. His employees on the boat are not union.

Michelle Madoff:

So, Connolly is not but the highest bidder was union.

Mr. Lally:

I don't know . . .

Michelle Madoff:

I checked that they were, but I didn't know if Connolly was.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7	Noes 2 (MR. GIVENS AND MR. LALLY VOTING NO)
---------------	--

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 2975 Report of the Committee on Public Works for March 21, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2859

A Resolution entitled, "Resolution further amending Ordinance No. 448, approved August 20, 1975, as amended by Ordinance No. 803, approved December 29, 1975, as amended by Resolution No. 176, approved April 5, 1976, entitled 'An Ordinance providing for a Contract or Contracts for Sidewalk Construction at Various Locations and providing for the payment thereof', by decreasing the authorized amount from Two Hundred Thirty Seven Thousand (\$237,000.00) Dollars to Seventy Three Thousand Two Hundred Nine Dollars and Eighty Four Cents (\$73,209.84)."

Which was read.

Also,

Bill No. 2896

A Resolution entitled, "Resolution providing for a Contract or Contracts for the grading, paving and curbing of Benton Avenue from

California Avenue to Brighton Road, including the reconstruction of a waterline, the replacement of a public sewer, and other work incidental thereto; including as may be necessary the entrance onto private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens

No. 2976 Report of the Committee on Planning, Housing and Development for March 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2863

A Resolution entitled, "Resolution amending Resolution No. 1267, of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution No. 829 of 1978, as amended by

Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978, as amended by Resolution No. 252 of 1979, entitled 'Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program' so as to reallocate \$75,000 from the Department of Housing Home Repair Loan and Grant Program - HD-78-01 into a newly created Department of Housing line item entitled 'Contingency Fund for Contract Completion' - HD-78-18 to be executed through the Urban Redevelopment Authority of Pittsburgh; and further to reallocate \$110,000 from the Department of Housing Home Repair Loan Program (HD-78-01) into a newly created Department of Housing line item entitled 'Innovative Grant - North Side - Local Matching Share' - HD-78-18." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2864

A Resolution entitled, "Resolution providing for an agreement or agreements with Better Community Services, Inc., for professional services in connection with the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2865

A Resolution entitled, "Resolution providing for an agreement or agreements with Health & Welfare Planning Association for professional services in connection with the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2866

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Development Action Grant Program, including issuance by said Authority of Revenue Bonds." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Bulls:

Mr. President, on Bill No. 2866, the residents for the Charles Street Valley feel, and I expressed this to Councilman Stone, they feel that they were used to gather the data to secure this money from the Federal Government and now they feel that they are being shortchanged in the distribution of this money. Although I am not opposing this bill, I want it on record at this particular time.

Mr. Givens:

I'd ask the question, how were they being shortchanged?

Mr. Bulls:

From what I understand, there are two businesses on Charles Street, two trucking businesses, that have to be relocated in order for them to get funds in this area. They were told in the initial grants that they would receive this money and now it is something like, they will be in the second portion of it.

Mr. Stone:

No, I think what happened was that they used Charles Street to help in the qualifications...

Mr. Bulls:

That's exactly what I said...

Mr. Stone:

And Charles Street valley seems to feel that they should be, then, one of the more direct recipients of it. There was some con-

cern that Mr. Brophy indicated that he would look into that and I am hopeful that he will.

It is a valid complaint if it doesn't come to pass. They should not be used for statistics and then thereafter not be recipients.

Mr. Bulls:

Exactly.

Mr. Robinson:

I would like to echo Councilman Bulls concern. I think it is more than a valid concern, I think there is more than one situation in which certain areas of our city, certain neighborhoods have been utilized for statistical purposes to procure federal monies in particular and then those neighborhoods find themselves not a part of the first phase, whatever that is. At last Wednesday's session, I expressed some of my concerns in reference to not only Bill No. 2866, but some of the companion type of legislation which is designed to redevelop, re-vitalize our North Side Area. While I was not completely satisfied with Director Brophy's questions or answers to Councilman Bulls questions as to how much money was going to be directed towards the Charles Street Valley, I would like to have my comments from Wednesday, March 21, 1979 incorporated into the minutes. I stand with the Councilman Bulls in terms of looking at this legislation with some degree of skepticism but recognizing that the overall value of it perhaps far outweighs any immediate concerns that we have with Charles Street, but I will vote aye on this bill.

INSERT #1

**COUNCILMAN ROBINSON'S REMARKS
FROM WEDNESDAY, MARCH 21, 1979:**

Mr. Robinson:

Mr. Chairman, I would just like to indicate that I have some reservations about this program as it relates to providing low and moderate income people with adequate housing as a way of assuring an equal housing opportunity.

Also, I hope that the City of Pittsburgh and URA will work together to assure that

City residents who want to remain in our City do so; and that the residents of the Charles Street Valley be substantially included in this program.

Mr. Stone:

I would also like my closing remarks relative to Mr. Brophy on Wednesday, March 21, 1979 incorporated into the minutes.

**MR. STONE'S REMARKS FROM THE
MEETING OF WEDNESDAY, MARCH 21,
1979**

Mr. Stone:

None of the communities would appreciate being used to gather statistics to secure money for a program, and then feel that they are not getting what they should get. I am not going to hold this meeting up any longer, but I do feel that you didn't give sufficient answers as far as this program is concerned on the North Side. You come back time after time and never give us the information that we want. I want you to come back and report to me and to this Council the progress that you are making in this program.

Also,

Bill No. 2867

A Resolution entitled, "Resolution providing for an agreement or agreements with a non-profit organization for the operation of the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh." (AS AMENDED IN COMMITTEE)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2868

A Resolution entitled, "Resolution providing for an agreement or agreements for professional consulting services in connection with a study of the recreational and/or multi-purpose center, in the 12th Ward," (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President, relative to this bill, the multi-purpose center in the 12th Ward. I wasn't here last Wednesday, but my feelings on this particular bill are that I feel we are just having another consultant come in here to study a program that I am sure we have the expertise within our City Planning Department, our Parks and Recreation, and especially that of the neighborhood. I think this is going to delay the construction of a multi-purpose building. If this \$15,000 should go to anything, it should go to engineering of what the design of the buildings the people want out there. I think they can sit down very quickly and tell our engineering people, tell our planning people, and tell our Department of Parks and Recreation what they want and use this money to start the engineering and design of that building so the people can look at it.

I asked it to go back into committee, and I do that seriously for the neighborhood, that we can excel the particular program that they want out there . . . I think this is going to delay it.

Mr. Bulls:

Several groups in the 12th Ward have been meeting for what seems like an eternity to try to find out what type of recreation center that they need, or multi-purpose center that they need in that area. They have come up with different kinds of ideas of what they need in that community and the purpose of this study is to find out exactly what they do need.

I think they said here, on a past agenda item, if I'm not mistaken, agreed to have a study to find out what they need in that area.

The Chair:

In other words the community is in favor of the study.

Mr. Bulls: '

Right, they've had a meeting since our meeting and agreed upon this.

Mr. Givens:

Well, Jim, do you not agree that in trying to have a consultant study that by the time they get through with the consultant study and the eight groups agreeing on the one particular thing, that this will not delay . . . I mean, don't the people know what they want out there.

Mr. Bulls:

Yes, that is why they voted to have this study because they know what they want out there.

Mr. Givens:

Then why have the study?

If they know it, express it . . . have somebody out there that can come up with some engineering and design, architectural work and show it to the people and then

modify it and go from there. I think its going to delay the total thing. I think the consultants are going to come back and tell you this is the type of building and then you are going to have to go out for engineering, design and study . . . unless you want to put a restriction on this to give them a time limitation. Otherwise, Jim, they can draw this thing out for a long, long time.

Mr. Bulls:

If I am correct, I think also that Councilman Stone had talked to Mr. Fielder and they agreed that they would have some type of monthly report on this too, is that correct Mr. Stone?

Mr. Stone:

Mr. President, if I may, I think to look at this bill out of context would not be fair to the bill or the overall program. There is presently in the City of Pittsburgh a comprehensive program looking at recreational centers and multi-purpose center throughout the City of Pittsburgh. There is a fund actually in the budget for it. When this bill came to head, because there were so many problems there in the 12th Ward, particularly around the Kingsley House area where obviously there was some need, unfortunately it was not properly defined and there was an inability to get it properly defined because of the many groups there. It was then felt that something ought to be done to specifically cover this area and that is why special legislation, as part of the overall comprehensive program, and not being in conflict with it, was covered here in the 12th Ward.

Some of the things that Mr. Givens is talking about have already been done and we may get to that, but if it became necessary to seek additional consulting service, this is why this money was labled there so it does in fact expedite it. We were told at Wednesday's meeting that the Director of Parks and Recreation had met in the neighborhood and that in line with the advice that this Council had given to her, she called a meeting in a public place and invited all the groups there rather than as had been in the past, going to a specific groups, utility and facility and calling all the others there. She

indicated, and some of the replay that I have gotten from it seems to be that they are in the right direction.

I think the fact that we labled this as a specific unit, again, in line with the overall comprehensive program, will, in fact, expedite it and I think any delay of this right now will cause kind of irreparable harm there. I think we ought to get on with it, but I think that the additional information might be helpful to Mr. Givens.

Mr. Givens:

I'd just like to make one comment to Mr. Stone, the fact that I could go up and take the Hill House, that facility, add a gym on to it and put some outground recreational, and have the ideal multi-purpose, ideal building that could be built anyplace in this City, and I advocated that in many of the planning sessions that we've had in the Six Year Plan, etc., to have a multi-purpose type building. You can design one almost that can fit anyplace within the City if you have the land available and if you have the surrounding grounds for the ballfields and that. I go along with it, but . . .

Mr. Stone:

Dick, I think you are missing the point, this is not a matter of building the most grandiose kind of recreational facility, it is a question of checking the area . . . what do you need, what are those needs? Then the next thing is once you have the need is to the drawings in order to comply with that need rather than just putting some Taj Mahal of recreation or multi-purpose center.

Mr. Givens:

I don't think that the one in the Hill District is a Taj Mahal type of . . . that was a beautifully designed building, one that I have favored, and you can alter that type of construction to have more versatility in the buildings in the fact of opening petitions and that, handle larger groups and enclosing petitions on up, but I think the City ought to come up with a standardized type of multi-purpose building and go from there. I mean, each time that we build one in a particular neighborhood we are going to come out with

a new design, a new lay-out and we are going to have new consulting costs, new engineering costs, I think the City ought to sit down and build a building out here and look at our Hill House that we have up there right now and use that as a model. That is a beautiful building up there. We are spending \$15,000 right here for consultants to tell the people in the neighborhood what they want. The people in the neighborhood know what they want. The only thinkg is to engineer the building to fit their design and that takes an engineer, not a consultant.

Mr. Stone:

I don't want to belabor the point Dick, but I think that is the exact point. Heretofore there was so much diversion of opinion, so many different groups there that they weren't getting to that. The last meeting which was called as I indicated at the suggestion of Council, was the first time they've had a rather progressive meeting and I think that it is not, again, purely getting a model kind of recreational facility there. Don't forget you have schools in some of these areas that have gyms, other areas that we just dedicated, or broke ground for last week, for Arlington Heights, there is not one public school or private, parochial school in the area that has a gymnasium, obviously there was a need for a gym if nothing else. I think you have to find out what is in the area, what you can use, what you can't use and that is the kind of thing that was essential here. But I won't belabor it anymore.

The Chair:

If I may add a remark or two . . . Mr. Givens, your remarks are well taken and also Mr. Bulls and Mr. Stone. It just strikes me, and I know you don't mean it this way, Dick, its the last thing in the world that I'd say, but, everytime we have something that comes up in regards to a black area we have some kind of problems from somebody on City Council. I know it is not meant that way, but it is going to start getting out that it is meant that way, so if we would just watch it, we don't seem to do this when it is in other areas.

Mr. Givens:

You are saying that about me?

The Chair:

No, I'm not saying that about you, absolutely not you, its been other people on other occasions, its been myself on occasion. I'm just saying it seems to come out that way everytime we have a project in a black area.

Mr. Givens:

That is exactly what I am trying to do as the Chairman of that Planning, I'm trying . .

The Chair:

I follow, you are trying to protect their rights and your point is well taken, I think that Mr. Stone explained it rather well, and Mr. Bulls and I think there should be no problem with that.

Mr. Givens:

I'd love to put \$15,000 into the engineering of the building and let the people tell them what they want.

Mr. Coyne:

Mr. President, the disappointing thing about it, as I see it, this contract is that when the Director was here on Wednesday, the Department of Parks and Recreation had no idea of what kind of consultant could provide the information that we are asking for, or it seems that we are asking for. I support the bill, I am going to support it because it is going to be interesting to find out what kind of consultant can tell us what our Parks and Recreation needs are in the 12th Ward.

Mr. Givens:

I will withdraw my motion to recommit this bill Mr. President.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none (ONE ABSTAINING,
MR. GIVENS)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 2977 Report of the Committee on Supplies for March 21, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2880

A Resolution entitled, "Resolution amending Resolution No. 1530, approved December 29, 1978, entitled 'Providing for the letting of a contract or contracts for the furnishing and delivery of Aerofier for the Bureau of Grounds and Buildings, Department of Parks and Recreation, and for the payment thereof', by increasing the amount from \$3,400.00 to \$3,475.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 2978 Report of the Committee on Water for March 21, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2878

A Resolution entitled, "Resolution providing for a contract for a Pitometer Trunk Main Survey of portions of the distribution system of the Department of Water and other engineering studies of the water system and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 2979 Report of the Committee on Public Safety for March 21, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2802

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commission on Crime and Delinquency for a grant in connection with the Special Police Unit Project; providing for the execution Grant Contract and for the filing of requisitions and other data; approving the Special Police Unit Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Mr. Robinson:

Mr. President, on Bill No. 2802, is it the understanding of Council that the unit, Police unit that is going to be created will be made up of new officers who will be retained after the project is completed?

The Chair:

There is some discrepancy there Bill, I don't believe so.

Mr. Bulls:

No, there will be 28 officers who will be assigned to the project.

Mr. Stone:

Present officers put into that operation and their previous jobs will be taken up by

the 40 new ones coming allegedly April . . . one class.

Mr. Coyne:

But, I think it is important, Mr. President, to recall that the Superintendent last Wednesday indicated that they are being hired for a specific purpose, burglary, robbery, priority items that they (the Department) feels are justified in putting them in those jobs as a result of the statistics that they gather down at the police headquarters.

So, it is for a specific purpose that they are making the application.

Mr. Stone:

You are correct.

Mr. Givens:

And they take that away from the regular police body. We are not up to full strength. If we were up to full strength, they could hire, what the Commonwealth is saying, an additional twenty eight policemen and put them on to a specific task because by the end of next year, we will have traditionally 60 some people retire. We are taking from the Commonwealth but we are really taking from our own resources and using Commonwealth money to pay for our Police Department.

There is nothing wrong with it, but the intent is not there. If you take 28 policemen from the existing force which is not up to strength, then you are defeating the purpose of the Commonwealth's money right there.

The Chair:

Thank you Mr. Givens.

Also,

Bill No. 2858

A Resolution entitled, "Resolution amending Resolution No. 204, approved April 8, 1976, effective April 10, 1976, entitled 'Governing the procurement of police protective vests by the officers of the Department of Police, City of Pittsburgh.' by revising the provision per-

taining to the purchase and reimbursement of police protective vests."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePesquale
Michelle Madoff	(Pres't)

Ayes 9 **Noew none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 2980 Report of the Committee on Lands and Buildings for March 21, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2873

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City, to lease to the Jones and Laughlin Steel Corporation, for a term of ten years, certain property of the City located on South Water Street, upon certain terms and conditions."

Which was read.

Also,

Bill No. 2874

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional consulting services in connection with the replacement of roofs at various engine companies and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2875

A Resolution entitled, "Resolution amending Resolution No. 586 of 1976, as amended by Resolution No. 821 of 1976 by increasing the amount provided for in connection with the Rehabilitation of Fire Stations, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2876

A Resolution entitled, "Resolution authorizing the sale of property in the 25th Ward located on Hecla Street designated as part of Block 23-G, Lot 366, to Peter L. Hervoyavich, Jr., and Kathleen M. Hervoyavich, his wife, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 2877

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the quesiton, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, as you know, at the last meeting we requested a legal opinion on the subject of "perqs" perquisites for City Council members. Friday at 4:00 the opion came down from Mr. Mead Mulvihill and I quote, the last paragraph:

"Consonant with the requirement that Section 706 be broadly construed, it is my opinion, and you are so advised that Members of Council may receive their salaries and fringe benefits as provided for elected officials, paid by the City. Office space, telephone, supplies, equipment and staff services necessary for the performance of their duties. Vehicles provided for Members of Council in connection with the performance of their duties.

Furthermore, it is my opion that Section 706 is not intended to prohibit Members of Council from attending or participating in ceremonial and other functions affecting the interest of the City without cost to themselves."

I found this very confusing and so I called Mr. Mulvihill and asked him whether my opinion was correct or whether indeed, it

was contrary. He informed me that the Home Rule Charter was very explicit and as much said that when it comes to the issue of a Member of Council going out to the Stadium Authority to meet on a specific subject, say the parking facility, or to have a special meeting, it would be very much in order to be wined and dined, to have lunch or to have a parking space. If we are at a ceremonial affair and there is lunch and a parking facility, or if we are going out for a specific meeting at Pitt, or if we are going to anything that pertains to the public image, like the opening day of a Pitt game, that it is perfectly acceptable because we represent the City. But, it is not acceptalbe to accept anything other than a one-shot item, such as, a membership in the Allegheny Club or a season ticket to games because that is not subjective in determining problems.

Because it was written in legalese and I felt I needed another opinion, I spoke to a number of attorneys, and the last one I spoke to, and it just arrived in the last few minutes and so I only have what was dictated to me by Tom Kerr who is with the ACLU and a very well known attorney and in conclusion, he quotes the ordinance and he underlines- "and strictly enforced" and "forfeit office or employment", he states:

"Any person, firm or corporation which is located within the City of Pittsburgh, or does business with the City of Pittsburgh is likely from time to time to have dealings with the City, police and fire protection, water services, questions of appropriate taxation and many other possibilities come to mind.

It should be clear then, that no elected official should receive any favors, not available to the public generally from any such entity. This would include public authorities or universities or non-profit institutions."

Accordingly, I do not think that I or any other public official should receive any favor or advantage from the Three Rivers Management Corporation or any other Corporation for profit, or not for profit, including the items I have mentioned.

I base the above upon my conversation and discussion with Mr. Kerr. He simply

says the word "broadly construed" in Section 706 means that it should be strictly interpreted and applied and that it is very explicit.

I further discussed with him the fact that I am disturbed. That we as public servants operating within the guidelines of the Sunshine Act, there is no reason why Councilmembers should not be accountable to the public, or for that matter, to other members of Council. As to the use of the private city chauffeurs. I believe we should indicate on the schedule sheet where we are going, or where we have instructed a driver to go on an errand. If the drivers are to be used for the people's business, what is so secret about where they go?

I insist when I use the drivers that they list where I've gone, to the Water Department in Aspinwall the other day, to an attorney to get an opinion, this particular opinion, or to Pitt to discuss water business. I ask them to put down where I am going, and I think that other members of Council ought to consider the ordinance as being very explicit. It states that we can forfeit office or employment.

Mr. Givens:

I want to make some comments on that, and in the interpretation, the broad interpretation . . . if you go out to one ballgame, opening day for example, that of me is not the ideal situation, that is the first game anyway . . .

Mr. Lally:

It's a civic duty.

Mr. Givens:

Our specific duties as Councilmen sitting here, when we in this Council body, give to the Stadium Authority almost one half million dollars in taxpayer's dollars . . . I want to know how that particular facility works in the day-in day-out type of ballgame. I feel that I have the right to park inside there if I so deem it and go to one of those ballgames because only by walking in there can I see what is happening. On the other side of that coin, do all Councilmen use their

particular pass? I think you, Mr. President, indicated yesterday that these 'perqies' that we get are gratuities as I used to know them within the military forces, are something that . . . how do you use them? In my particular case, and it wasn't brought out, it is always brought out on the negative side for Council. Let me give a positive side. The Veterans had to park their bus three or four blocks away because it was a bus. They had to walk their veterans and carry them over the road guards that are there to protect pedestrians by trying to make a right-of-way. Getting a person in a wheelchair, carrying them up, two hundred pounds, up over a barrier. Going into the stadium, they do not have facilities for the handicapped, Allegheny Club Car uses an elevator to get the handicapped up and to see the Allegheny Club and then go on to their particular box in that particular area. If you go into the Allegheny Club, you must buy a ticket to see the ballgame. The Allegheny Club is just another plus. That is ten dollars, they say, and I didn't even know it was \$600.

I have never used that Allegheny Club personally myself. Along with that I am an Associate Member of that Club and I know of many clubs that have Associate Members. If you are a full member, you have voting rights, as an Associate Member you do not have any voting rights.

I'd just like to mention some of those particulars . . . I feel it is a duty and a responsibility, again, that we have access to certain areas so we can see the day-in, day-out operation of any authority, be it the Parking Authority, the Housing Authority, or whatever authorities we have in this particular Council.

And, I might say one other thing. We have had all kinds of interpretations from our Law Department that we in this Council disagreed with and went out and got our own interpretations from Council's attorneys and in some cases, our own individual attorneys. This is one attorney saying what an opinion is from our Solicitor and it is another attorney saying the other side of the coin. If you get two attorneys together they are going to come up with two different opinions.

The Chair:

The only comment I have to make Mr. Givens, is personally, I don't drive so I don't use the pass, and as far as membership is concerned, they'd do me favor if they took the void away from me, it has always cost me money for people who have been freeloading on me for about the last eight years. So, you've done be a big favor Michelle Madoff and thanks from the bottom of my heart.

Mr. Lally:

Mr. President, I feel the same way as Councilman Givens. I was one of the original members of the Stadium Authority when the Stadium was built. After we were replaced by another board, the Allegheny Club themselves, the members and the Executive Board went on record as giving the original Stadium Authority Board a lifetime honorary membership which I hold in my pocket today, which I'll show to you Mrs. Madoff, just to show you that it is an honorary card. I think it is a duty and a privilege to be a member of the Allegheny Club and I am going to continue to whether I have to remove myself from office or not, I think it is my duty to tell you that . . . that I've been an honorary member there since the origination of the Club and I'm going to continue to do that . . . it's not a freebie that I'm getting, it is an honorary duty that was bestowed on me and the other members of the Board. As far as attending the ballgames, I feel the same as Councilman Givens. We give them over \$750,000 a year . . . \$750,00 to the Stadium and I think it is our duty to see the operation of that Stadium and I am going to continue to go to the ballgames. If I never went to a ballgame I'm going to go now and I'm going to use my pass.

The Chair:

You do as a member of the Allegheny Club pay for your alcoholic beverages and also your booth . . .

Mr. Lally:

That's right, and here is my honorary membership, Mrs. Madoff, so you can see it, right here in front of you, its marked

Honorary Membership the the date it was issued.

Michelle Madoff:

Mr. President, in response to Mr. Givens, both legal counsel agreed that if people went out, Members of Council went out to discuss specific problems or business items that they want to look at that might be problems to the City, then indeed, they could have lunch on the Stadium and they could have parking facilities and that would be in order. What they said was not in order is a membership over four years, what was not in order was to get inner parking when you go to the games yourself, what was not in order was to accept a pass for the Pitt games for the season, and I'm afraid that I concur with that opinion.

Mr. Bulls:

Mr. President, I'd like to make one statement and its not about the Allegheny Club, it is about the cars . . . I'd like to make one thing quite clear. For those of you who do not know, I take public transportation to work. On occasion I've been on the same bus with Mrs. Foley incidentally, and for those who want to know, you can see me walking across the Sixth Street Bridge towards home at the close of the day.

Mr. Givens:

If we compare Council, I suggest we compare the City of Pittsburgh, because there are many Directors today and many other people in the official capacity of government, and rightfully so, who are using automobiles so they can get to and from and cover a greater area because we are cutting back on our force and as you cut back on the force, you must get these people mobility so they can get out and see more and do more for the taxpayer and you will see an increase. Our total garage down there since 1970 has almost doubled or tripled its capacity in all types of vehicles.

Mr. Lally:

Mr. President, I would request that you appoint a committee along with the Mayor to meet with the officials of the A&P stores

because we do have three or four located within the City limits.

The Chair:

Mr. Lally, I have to interrupt you at this point, three months ago when I first received almost official word that A&P was going to close, I talked to Mr. DeLuca, I said, Mr. DeLuca you had better look into it, its a known establishment we want to keep. Mr. DeLuca said he would be on top of it and apparently he was on top of it. In spite of his efforts and efforts of the City Administration, the A&P has decided to close. As you know, officially they closed this morning at 10:00 o'clock.

Mr. Lally:

Well, they are liquidating their sales right now Mr. President.

The Chair:

I'm just saying that the City has been aware of it, the City knew about it and the City tried to keep them here, how hard I don't know, but apparently their efforts failed.

Mr. Lally:

Well, apparently if we can't do anything to save the stores . . .

The Chair:

I'm not saying we shouldn't have the Committee, I'm not saying we shouldn't try . . .

Mr. Lally:

That is only a request I'm making of you and if we can't to see who is coming in . . . there is another food line coming in there, Stop-N-Go, or Foodland or somebody, I'd like to be able to meet with these people.

The Chair:

Sure . . .

Mr. Lally:

For the first time, I'm glad to hear that

the company did not blame the unions for the closing of the stores which they admitted, it was mis-management.

The Chair:

I believe it would be in order also Mr. Lally, for the committee to go to Cleveland, I believe that is there home office now.

Mr. Lally:

I think so, Mr. President.

I make a motion to form this committee.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Givens:

Along the same lines, there is a responsibility I think, to the elected officials both in this City, the County and the State, as well as the Federal. As we all know, the shareholders of this particular company, the greater part of the shareholders are a company out of Germany. We have our Volkswagon Plant that we have built in this particular State of Pennsylvania. We have foreign ingress into the business areas, the land use of this country, certain foreign countries are buying up our farm land just by gobbles. We're going to get to a point sometime in this country that we won't be able to pinpoint our own destiny. This is so serious, we're talking about better than one thousand employees in Allegheny County alone. We're talking about a loss of revenue in Allegheny County of \$48 Million and I can prove that one point very nicely because that came right from the officials of the A&P Company themselves, they let the cat out of the bag. That's the impact on Allegheny County alone, \$48 Million in lost revenues. I feel it is very important, especially when this City started, the A&P Company had stores all over our local communities. I would like to see a resolution go, it can be written up later and drafted by this Council immediately by Mailgram to all of our elected officials both of the State and the Federal level expressing them to use whatever means and power and authority that they have to reverse what is happening with the

A&P Company. I think we have certain leverages within this country and within this congressional body of ours to do that.

It's ironic that the last twenty-six weeks within this particular area that the A&P is now going to withdraw from that they have been in the blue, they have been making money for the first time for almost a half year period. Where there has been strong unionism I will also say, as is in Pittsburgh, go a little bit wider. Up in New Hampshire they are closing the A&P stores down up there too, for one reason, they have a strong union. They have a strong union here in the City of Pittsburgh and as pointed out by Mr. Lally, it wasn't the union's problem, it was management's problem. The A&P employees have generally no greater pay than what Krogers or other large chain operations have. They do have some additional fringe benefits. That's the only difference.

That's just like J&L closing out here, just like U.S. Steel pulling out or any large corporation. Congressmen get off their doubt, State Senators and State Legislators get off their doubt, I would hope this Council draft and I will so direct the City Clerk if we would send a message to our elected officials if this body so feels.

The Chair:

So ordered Mr. Perry.

Mr. Stone:

Mr. President, if I may, we've been talking about a lot of issues today, but I don't think that there is an issue that this particular event on this day that is more important than what has recently happened in Washington, DC. I believe it is a historic event bringing together the President of the United States, President Carter, Mr. Begin of Israel, Mr. Sadat from Egypt. They are presently and I think they've signed as of two o'clock today the peace treaty, and while there are many people in this world who may not like or who may like some of the terms of that peace treaty, I think there is no one who can fault peace. Perhaps this is a good sign, a good example for the world and for its people, I think President Carter is to be commended for his efforts, he has been

nominated as a candidate for the Nobel Peace Prize, I wholeheartedly think that he is a worthy candidate this time, but nevertheless I think that we on City Council would be remiss if we did not send a letter to the President of the United States indicating that we support his efforts in peace, not only in the mid-East, but as well, as hopefully an example for the world to follow.

Michelle Madoff:

Is that a motion Mr. Stone?

Mr. Stone:

Yes.

Michelle Madoff:

I second the motion.

Which motion prevailed.

Mr. Bulls:

Mr. President, I was wondering if on Wednesday the City Clerk could have Superintendent Coll and Inspector Pampino from the North Side there to discuss the parking situation in the 1100 block of Federal Street.

The Chair:

The Clerk is so ordered. Also, Mr. Perry, I don't know if I mentioned to you about having Director Ruff in regarding street cleaning.

Michelle Madoff:

On the Wednesday post agenda meeting Mr. Perry, do we have anything scheduled as yet, I don't want to overload it if we have a number of items.

Mr. Perry:

Nothing scheduled with the exception of Mr. Bulls request.

Michelle Madoff:

Well, then, I had asked you earlier if you would schedule as a post agenda item, with

all due respect Mr. Bulls, before you asked for your post agenda item, the leads that I got from Mr. Small, this is on the four other businesses that are supposedly in violation and it was decided by Council that they would handle Chances R as a separate and apart item therefore, may I have the people who would be directly involved and they would be of course, Fire Chief Kennelly, Mr. Imhoff, I can't think of anybody else right

now, but if I do I'll get back to you.

Mr. Stone moved to approve the minutes of Monday, March 19, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, April 2, 1979

No. 14

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, April 2, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 2981 Communication from Robert J. Coll, Supt. of Police, requesting permission for one Police Detective to attend Second Annual Polygraph Seminar, Omaha, Nebraska, April 22-27, 1979, at cost not to exceed \$535.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 2982 Resolution transferring One Thousand Two Hundred Fifty (\$1250.00) Dollars from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works.

Also

No. 2983 Resolution authorizing the issuance and payment of a Semi-Final Estimate to J-Jac Construction Corporation in conjunction with the Reconstruction of Forbes Avenue from Murray Avenue to Shady Avenue, Controller's No. 22728, and reducing the retained percentage from 10 (10%) percent to one (1%) percent.

Which were read and referred to the Committee on Finance.

Also

No. 2984 Resolution vacating Warner Street from Fulton Street to Columbus Avenue and Adams Street from Fulton Street to the Pittsburgh, Fort Wayne and Chicago Railroad right-of-way line in the Twenty-First Ward of the City of Pittsburgh, abandoning the 6-inch waterlines located in Warner Street and Adams Street and excepting and reserving easements for the 18-inch and the 66-inch sewers located in Warner Street and the 102-inch by 97.5 inch sewer located in Adams Street.

Also

No. 2985 Resolution vacating Heidkamp Way between Laughlin Avenue and Lacona Street in the Twenty-Ninth Ward of the City of Pittsburgh, excepting and reserving an easement for the 8-inch sewer line located therein.

Also

No. 2986 Communication from John E. Ruff, Director of Public Works, requesting reimbursement of \$111.65 to Victor Bertolina, for travel expenses in connection with trip to Harrisburg, PA, February 23, 1979 to obtain approval of plans for Stanwix Street Bridge reconstruction, payable from Code Account No. 1530, Miscellaneous Services, Department of Public Works.

Also

No. 2987 Communication from John E. Ruff, Director of Public Works, requesting permission for Brother Richard Emenecker, Supt. Bureau of Cable Communications, Dept. of Public Works, to study and observe Qube System, Columbus, Ohio, April 16-17, 1979, at a cost not to exceed \$204.00, payable from Code Account 1661, Miscellaneous Services, etc., Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 2988 Resolution providing for an Agreement or Agreements for the Reduced Fare Loop Bus Project in the Hill District and Oakland and providing for the payment of the cost thereof, and repealing Resolution No. 290 of 1979.

Which was read and referred to the Committee on Planning, Housing & Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Lally presented

No. 2989 Resolution providing for the issuance of a warrant in favor of the County of Allegheny, in the amount of \$727.45, in payment for work performed in connection with the removal of architectural barriers, City-County Building, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 2990 Resolution granting a License to Duquesne Light Company for the installation of overhead wires over and across two (2) City properties, fronting on Stadium Street, 20th Ward.

Also

No. 2991 Resolution providing for a License Agreement with Bell of Pennsylvania for the installation and maintenance of a conduit system and other underground appurtenances on City property, 27th Ward.

Also

No. 2992 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 2993 Communication from John C. Miller, Director of Water, requesting permission for Director Miller and other representatives of the Water Department to attend American Water Works Association 31st Annual Meeting, Pittsburgh, Pa, May 20-23, 1979, at cost not to exceed \$250.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Also

No. 2994 Communication from John C. Miller, Director of Water, requesting permission to attend Southwestern District, Pennsylvania Section of American Water Works Association meeting, Pittsburgh, Pa. April 6, 1979, at cost not to exceed \$10.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2995 Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for use, by the City, of certain facilities owned by the School District and for use by the School District of certain facilities owned by the City during the period of January 1 to December 31, 1979.

Also

No. 2996 Communication from Louise R. Brown, Director of Parks and Recreation, requesting permission for one (1) Parks and Recreation staff member to attend Augusta Heritage Workshop, Elkins, West Virginia, July 30-August 3, 1979, at cost not to exceed \$50.00, payable from Phipps Conservatory Trust Fund.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2997 Resolution transferring the sum of \$10,000 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also

No. 2998 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Paving Breakers for

the Department of Water, and for the payment thereof.

Also

No. 2999 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Clay Diggers for the Department of Water, and for the payment thereof.

Also

No. 3000 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Partner K-12 cutting saws for the Department of Water, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Also

No. 3001 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Hill House Association, and the South Oakland Youth League for implementing the 1979 Summer Recreational Cultural Program and providing for the payment of the costs which shall not exceed \$10,000 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 3002 Resolution transferring the sum of \$200,000.00 from Code Account 41, Refunds - Real Estate Tax, to Code Account 46, Judgments.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced

so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3003 Resolution providing for the issuance of a warrant to Walter J. Lech and Susan Lech in the amount of \$579.79 in full settlement of claim for property damages, and providing for the payment thereof.

Also

No. 3004 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting reimbursement of \$150.00 for attendance by Human Relations Commission and staff members at training seminar on administrative hearings, Carnegie Mellon University, Pittsburgh, Pa, February 3, 1979, payable from Code Account EEOC-2, Agency Improvement Grant, Commission on Human Relations.

Also

No. 3005 Communication from Melanie J. Smith, Director, Department of Personal & Civil Service Commission, requesting permission for Phillip B. Schugar and Deborah Ritunnani, to attend YETP Discretionary Project Meeting, Washington, D.C., April 2-3, 1979, at cost not to exceed \$375.00, payable from CETA T-3, federal funds.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3006 Report of the Committee on Finance for March 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a affirmative recommendation,

Bill No. 2870

A Resolution entitled, "Resolution transferring the total sum of \$180,040.00 from Capital Project LB 76-1, No. 42 and 51 Fire Stations, Chestnut Street to Capital Project LB 76-3, No. 2 Police Station, Department of Lands and Buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 2891

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

There being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2897

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor J-Jac Corporation in the amount of One Hundred Five Thousand and, Three Hundred Twenty Five Dollars and Twenty Five Cents (\$105,325.25) in payment for 'Extra Work' furnished for the benefit of the City in connection with the resurfacing of Fifth Avenue from Bellefield to South Highland, Phase I, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

I myself will vote no on this bill for reasons previously stated.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	
Michelle Madoff	

Ayes 8 Noes 1 (MR. DE PASQUALE VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2898

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2906

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mueller Company, 500 W. Eldorado Street, Decatur, Illinois 62525, in the amount of \$489.12 in payment for 24 meter box covers furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Bill No. 2907

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc., 1225 Washington

Boulevard, Pittsburgh, PA 15206, in the amount of \$499.35 in payment for emergency repairs to pumps, tampers and saws within the Department of Water."

Which was read.

Also,

Bill No. 2926

A Resolution entitled, "Resolution providing for the issuance of a warrant to Marie Lech, care of C. Donald Gates, Jr., Esquire, 3367 Babcock Boulevard, Pittsburgh, PA 15237, in the amount of \$1,500.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2927

A Resolution entitled, "Resolution providing for the issuance of a warrant to Wayne Crouse, Inc., care of Michael D. McDowell, Esquire, Grant Building, Pittsburgh, PA 15219 in the amount of \$5,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2928

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$12,000.00 to be distributed in the following manner: to Bart M. Beier, Esquire, \$4,272.33; to James H. Bogdan and Margaret Bogdan, his wife, \$1,727.67; and to James H. Bogdan and Margaret Bogdan, his wife, as parents and natural guardians of the minor, James C. Bogdan, \$6,000, in full settlement of lawsuit for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 2929

A Resolution entitled, "Resolution providing for the issuance of a warrant to Centnor Housing Corporation in the amount of \$750.00 in full settlement of claim for property damage, and providing for payment thereof."

Which was read.

Also,

Bill No. 2930

A Resolution entitled, "Resolution providing for the issuance of a warrant to Underwriters Adjusting Company, subrogee of John K. Jones care of James David Elder, Esquire, 1220 Frick Building, Pittsburgh, PA 15219, in the amount of \$2,850.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 2930, I may be missing it, but I can't find what department was involved in the accident. Does somebody know? It isn't Department of Refuse, please? I've gone back to the sheet for Thursday and it doesn't say there either, the agenda sheet.

The Chair:

'Mr. Perry would you get that information for her?

Mr. Perry:

Yes it was the Department of Refuse.

Michelle Madoff:

Thank you.

Mr. Robinson:

Mr. President, it would be appropriate on Bill No. 2930 as a follow up to Mrs. Madoff's concern, I have talked to the Direc-

tor of the Department of Supplies and he is in the process of instituting a new Driver Education Program and is going to make the appropriate personnel changes so that hopefully we can begin to cut down on some of the accidents.

Michelle Madoff:

I have been saying that I will abstain until some of the concerns I had particularly having some more mechanics in the garage were addressed. I have since met with Mr. Yatch, Department of Supplies, and I understand there is going to be a whole, complete re-vamping of that Department. The new Supervisor has come aboard, and they feel it is not so much a matter of numbers of people as it was not using them properly, on the right time frames and they are going to completely change that. First of all, a major change in the way our services are handled for repair, but it will also show that we need to increase the number of inspectors, so I will vote for these claims now.

Also,

Bill No. 2931

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Therese Jackson in the sum of \$950.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 2932

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$1,332.96 in favor of Richard W. and Marie Lowe in settlement of claim for damage."

Which was read.

Also,

Bill No. 2933

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$1,979.50 in favor of the Travelers Insurance

Companies and Nevada M. Thomas in settlement of claim for damage."

Which was read.

Also,

Bill No. 2934

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$718.04 in favor of Albert P. Del Sole for claim for damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2935

A Resolution entitled, "Resolution providing for the correction of typographical errors in Ordinance No. 42, approved December 31, 1978." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

Mr. President, on Bill No. 2935, so that we don't change the intent, I'd like to move that the word "residents" be removed and in its stead, the word "buildings" be inserted.

Mr. Robinson:

Mr. President, I have a point of clarification, I am willing to second that amendment, but I just want a point of clarification on the change.

Mr. Stone:

Well, the reason I am saying that, the building may not necessarily be a residence. We didn't want to restrict it there, that was in those areas where it was qualified, it was to the building.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3007 Report of the Committee on Public Works for March 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2899

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of a sanitary sewer on Junius Street including all other work incidental thereto and providing for the payment of the cost of the same to be assessed and collected from those properties specially benefited thereby."

Which was read.

Also,

Bill No. 2912

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant of consultants for professional services in connection with a Cable Communications System for the City of Pittsburgh, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 2912, did we ever get the legal opinion that Mr. Givens requested?

Mr. Perry:

Yes.

Michelle Madoff:

Are you happy with it Mr. Givens?

Mr. Givens:

The only thing that I was concerned about on Wednesday, as of now, is the fact does Council have the opportunity to review again the selection of that consulting firm, knowing that there are not too many people out there in the business and thinking of what happened up in Monroeville here just recently in their cable communication that this

Council would have some input into the ultimate decision of that.

Mr. Stone:

You're not dissatisfied with Section 2 that we have inserted Dick, right?

Mr. Givens:

Right.

Also,

Bill No. 2913

A Resolution entitled, "Resolution providing for the solicitation of proposals for a Cable Communications System in the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3008 Report of the Committee on Planning, Housing and Development for March 28, 1979 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a NEGATIVE recommendation,

Bill No. 2464

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 6 by changing from 'C3' Commercial District to 'M4' Heavy Industrial District all that certain property bounded by: Beaver Avenue; North Franklin Street; Metropolitan Street and Columbus Avenue, 21st Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Bulls:

Mr. President, I am voting no and I would like my remarks from Wednesday, March 28, 1979 incorporated into the minutes.

Mr. Givens:

Mr. President, I will vote aye on this bill and I would also like my remarks from Wednesday's meeting incorporated into the minutes.

MR. BULLS' AND MR. GIVENS' REMARKS FROM THE MEETING OF WEDNESDAY, MARCH 28, 1979:

Mr. Givens:

If I can recall, the people in the community were trying to get their act together to take over that store to get another store to move in. Jim, you have been closer to the scene. Have you received any report?

Mr. Bulls:

No, but I have talked to Mr. Lowe and other people in the community and their recommendation is that we reject this zoning. I don't want to belabor the point. We have been through it many times at this table. My recommendation is that we reject the zoning.

Mr. Givens:

The person who owns the property, the lease, is going to be up a tree if we don't change the zoning. We can't move somebody in. I thought if somebody wanted to take over that operation . . . there is nobody to take over that operation?

Mr. Bulls:

Who was the agreement with?

Mr. Givens:

They were trying to get 711 or somebody to take it over.

Mr. Bulls:

I base my decision on the fact the City has invested too many dollars in Manchester and Mr. Lowe and others have been working diligently to make that community someplace special and I see no need to change the zone from C3 to M4 Heavy Industrial, adjacent to the school and everything.

I say again, we reject the zoning.

Mr. Givens:

Could I make a recommendation? If we table this particular bill, it can also be . . .

The Chair:

If we make a motion, we will honor that motion. We have had no motion to table that bill, so no action . . .

Mr. Bulls:

There is a motion on the floor.

The Chair:

I thought you were giving your feelings, Jim, rather than a motion.

Mr. Bulls:

I put that in the form of a motion.

Mr. Coyne:

This is a motion to reject it?

The Chair:

Yes.

Mr. Givens:

In fairness to the property owner, so that he is not holding a piece of property that is going to be abandoned here quickly, and we know what happens to abandoned properties, I move that we table the bill, work with the people in Manchester, and if we can, after the termination and contract runs out . . . I think we have almost a moral responsibility to not keep that owner of that property's hands tied by restricting change of ordinance. That particular area is surrounded C3 Commercial Zoning; is not mostly M4. By tabling the bill, no action will be taken and that will give the community a longer time. If voted down, we will have to start all over again between the Planning Department and the owner of the building and the community and this Council body.

Mr. Bulls:

I don't understand how we are helping the owner of the shopping center by not making a decision. I think we vote it up or vote it down.

The Chair:

Dick, you are suggesting we table the Bill. We will go with the original motion to reject.

Mr. Bulls:

I move we reject Bill No. 2464.

Michelle Madoff:

I second the motion.

Mr. Givens:

I oppose with reason given. I feel it should be carried.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens

Noes:

Mr. Bulls

Mr. Coyne

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes: 1 Noes 8

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation.

Bill No. 2901

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pentecostal Temple Church for the sale of Parcel B-16 in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 2902

A Resolution entitled, "Resolution approving and entering into an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc., in which Urban Redevelopment Authority of Pittsburgh provides the difference between the market

value and the certified development cost for housing to be constructed in the Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2903

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc., for the sale of Parcels 4, 4A-2, and 4B in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3009

Report of the Committee on Supplies for March 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2922

A Resolution entitled, "Resolution amending Resolution No. 1359, approved December 1, 1978, entitled 'Providing for a Contract or Existing Contracts for 'Street Lighting', SD-78-03, Miscellaneous streets throughout the City and other work incidental thereto; and providing for the payment thereof', by increasing the amount from \$250,000.00 to \$600,000.00"

Which was read.

Also,

Bill No. 2923

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Twenty (20) Two-Way Radios, for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 2924

A Resolution entitled, "Resolution amending Resolution No. 1492, approved December 22, 1978, entitled 'Providing for the letting of a contract or contracts for the furnishing and delivery of Electric Synchronous Motor, for the Department of Water, and for the payment thereof', by increasing the amount from \$4,500.00 to \$7,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 3010

Report of the Committee on Parks and Recreation for March 28, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2914

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597 of 1978, and Resolution No. 1205 of 1978, entitled: 'Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith creating Capital Funds; transferring Bond Funds to said Capital Funds'; by creating Capital Project Fund PR/78/34; Magee Recreation Center, by transferring funds from PR/78/09 to PR/78/34 and by increasing funds for PR/78/32; all within the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2915

A Resolution entitled, "Resolution amending Resolution No. 34 effective January 30, 1979, which amended Resolution No. 1416 of 1978,

entitled: 'Providing for a Contract or Contracts for the use of existing contracts for the Construction of a New Swimming Pool & Recreational Complex at Broadhead-Fording & Village Roads/28th Ward, and providing for the payment of the cost thereof', by changing the source of funds."

Which was read.

Also,

Bill No. 2916

A Resolution entitled, "Resolution amending Resolution No. 123 effective March 10, 1976, which amended Ordinance No. 808 of 1975 entitled: 'An Ordinance providing for a contract or contracts for the construction of the East Hills Swimming Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof' by decreasing the authorization to Two Hundred Eighty-Two Thousand One Hundred Sixty-Three (\$282,163.00) Dollars."

Which was read.

Also,

Bill No. 2917

A Resolution entitled, "Resolution providing for an agreement or agreements with Carnegie-Mellon University in connection with the 1979 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2918

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Architects or Engineers for Professional Services in connection with the study and design of the Renovation of Phipps Conservatory in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2919

A Resolution entitled, "Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in connection with the 1979 Summer Recreation Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2920

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the construction of Magee Recreation Center and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 3011

Report of the Committee on Public Safety for March 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2893

An Ordinance entitled, "An Ordinance providing for charges by the Department of Emergency Medical Services for ambulance service to non-residents; and creating a special trust fund in connection therewith."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. Bulls, do you want to reinstate the salaries?

Mr. Bulls:

Yes.

Michelle Madoff:

This bill was introduced by both Mr. Bulls and myself and we discussed it subsequently, and we feel that any cost incurred by the City that we are transferring to non-City residents, including Salaries and Wages should be reinstated. They are marked out, we want to put them back in.

Mr. Stone:

You can't do that . . . the budget is closed, unless the Mayor opens the budget you cannot create a position that is not there.

Mr. Bulls:

This is not a position that is being created.

The Chair:

Please repeat that, what do you want to do with that?

Mr. Bulls:

In the original legislation, the money was to go towards the maintenance of the equipment and salaries. I deleted salaries and now we are reinstating it.

Mr. Stone:

Okay, I see what you mean.

Mr. Robinson:

I have a question for Councilman Bulls... what would be the rationale to put the salaries back in?

Mr. Bulls:

Mrs. Madoff do you want to answer that?

Michelle Madoff:

The reason for that is that we want to be reimbursed for the cost to the City and part of the cost to the City are wages and salaries.

Mr. Robinson:

And we can't be reimbursed?

Michelle Madoff:

We're being reimbursed for the service, the cost according to the paramedics is something like . . . they anticipate next year it will be \$83.00. That is the figure. We are asking for \$75.00 and we only collect about half of it anyway. All we are saying is that the money, without spelling out specifically where it would go to, would be used for whatever the City needs it for and of course, we are paying salaries, so what difference does it make? We are just saying take the money back . . .

Mr. Stone:

Well, I think it does make a difference for the reason that this Council appropriated sufficient monies that should service all of the needs of the Emergency Ambulance Service. There is no way they should run out of monies and if that is the sole reason, then I don't agree with it. But, if there is some need, that is a different perspective. I don't know

that there is any need for salaries because we have given it all the funding and all the positions that are necessary for the year of 1979.

Mr. Bulls:

Mr. President, we have had a hearing on this and we have beat this thing back and forth . . . the intent of the whole legislation is to save the citizens of Pittsburgh about a half of a million dollars a year. That is the intent of the whole legislation.

Mr. Stone:

I agree.

Mr. Bulls:

I think it has been beat enough that we should either vote up or down today.

The Chair:

Yes, I agree that we had a hearing, but I still don't understand what you are talking about salaries, and whose salaries . . . are you paying these people their salaries regardless of who they are taking. Where do the salaries come in?

Mr. Bulls:

We are not talking about any salaries . . . you know, we're talking about apples and oranges here.

The intent of the legislation is primarily to lift some of the burden off of the taxpayers . . . whether it be in going towards paying the salaries or buying another truck, buying a tire, buying a piece of medical equipment . . . and intent is to lift the burden off the taxpayer.

The Chair:

How do you feel it is going to lift the burden off the taxpayer, its not going back in their pocket.

Michelle Madoff:

Because its going to generate revenue.

The Chair:

To generate revenue won't necessarily mean a rebate to the people of the City of Pittsburgh.

Mr. Bulls:

Certainly if you are getting a half of a million dollars from the non-City residents, then you have a half a million dollars to do something else with.

Michelle Madoff:

Like Pa Pitt.

Mr. Bulls:

I'm not saying what for, but if you are getting additional money and it is going right into this account, then the money you ordinarily would put in there is not necessary to go there.

Michelle Madoff:

Excuse me, I think the question is should it go into the General Fund . . . you don't care where it goes . . .

Mr. Bulls:

No, this legislation is intended to help the Emergency Medical Service . . . this is not intended at all to go into any General Fund. This is going one specific place.

Michelle Madoff:

That means that next year they'll come back and need less money because we will be reimbursed . . . its six of one and half a dozen of the other and I don't think we need to spell out that wages or salaries would be exempt because I think we'd run into a problem saying we couldn't use the money for that because we've appropriated the funds.

Mr. Bulls:

Exactly.

Mr. Robinson:

Mr. President, while I think that the in-

tent of the legislation is very good, and I certainly support it, I think that the whole idea of assessing some sort of charge for persons outside the City makes sense, as Chairman of the Committee on Supplies, it seems to me that Emergency Medical Services has been one of those areas where we have spent a great deal of money in upgrading of equipment and in many instances buying brand new equipment to create some sort of spree decor, etc.

Five Hundred Thousand Dollars this year came out of the Supplies budget for motorized equipment. Our fleet is already in many respects, in very bad repair . . . we have many vehicles that are '73, '72 and some even older than that. My point is that certainly if the monies to be generated were directed towards the purchase of equipment, whether it be in Emergency Medical Services or somewhere else in the City, I think we'd see a much better result. That is my main concern about the issue of salaries . . . that there is a prime example where we could take money and generate it from this program, put it right back into it, in an area where we'd have a lot of overhead . . . that is in equipment, motorized equipment, in an area where we have an obvious deficit of half a million dollars. But I have no problems other than that with the legislation.

Michelle Madoff:

I think we are a little confused here . . . there is no deficit, we appropriated the money out of the operating budget . . . the money is there as Mr. Stone said, the point is that we want to be able to lower that cost because the City of Pittsburgh residents are bearing the entire brunt of the program. If the money comes in it is going to relieve the tax-Payers in the City of that burden . . . whether it is used for salaries, for mechanics, to repair the vehicles you talk about, or whether it is buying supplies or whatever . . . that is the purpose. My purpose in supporting this resolution is that we want some revenue from those who are using city taxpayers dollars to give them services which are not reciprocated.

Mr. Stone:

Is there a motion other than on the bill itself right now?

The Chair:

No.

Mr. Stone:

We don't have a motion that is amending it or anything?

The Chair:

There is no amendment as far as I know.

Michelle Madoff:

Excuse me, there is a motion to amend, the motion is to put back in salaries and wages which was eliminated . . . in other words, we don't want to restrict it to equipment, vehicles, maintenance and repairs, but to also include salaries and wages, supplies, miscellaneous services, etc.

Mr. Stone:

Allright, in order to get on with that, do you have a motion to that effect Mr. Bulls?

Michelle Madoff:

That was my motion.

Mr. Bulls seconded the motion.

Mr. Coyne:

Mr. President, I'd like to address myself to the amendment . . . I think we are stretching ourselves by designating where this money is going. I think it is unnecessary and probably something that we shouldn't do and I would be opposed to the amendment.

Michelle Madoff:

Well the resolution, Bill, had this and they just look out salaries and wages and my point is to say, not excluding these . . . any way we need I agree with you. That's why I said I don't care if it goes to the General Fund as long as we have money in the City.

Mr. Coyne:

Well, I think the budgetary process made sure that we have enough money to oper-

ate Emergency Medical Services for a year. When this money, if it starts coming in now, we can re-appropriate that next budget time and I don't think this is necessary.

Michelle Madoff:

No, but if you look at page 2 of the resolution Bill, it says "But not limited to equipment, vehicles, maintenance, repairs, salaries . . ." we're not saying that you put it that way, but not limited to . . . and all we had taken out was salaries and wages and I'm saying don't limit it, if you want to use it for salaries and wages I'm agreeing with you, use it where it is needed. So I'm putting that back in.

Mr. Coyne:

No, I think we can leave that to the discretion of the Administration, wherever they want to use the money . . .

Michelle Madoff:

But if you take it out you can't . . . so I'm saying leave it in but not exclude it and if they want to use it use it where they want to. I think you and I are saying the same thing two different ways.

Mr. Coyne:

Well, I think that goes without saying and you don't need an amendment to say that.

Michelle Madoff:

But it was scratched Bill, if you look at page 2 it's be x-ed out.

Mr. Givens:

I'd just like to make a comment, that any time you have Federal Programs and this is going into the total operating budget . . . and if we have cutbacks in services within this City . . . and it is noted that the Emergency Medical is one that we did not cut back. This is putting this Particular money into a trust for Emergency Medical. I'd like to see it that way in case we do have cutbacks in various programs that at least the money can be entrusted into the Emergency Medical . . . be it salaries or equipment.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Lally
Mr. Givens
Michelle Madoff
Mrs. Masloff**

**Ayes 5 Noes 4 (MR. COYNE, MR.
ROBINSON, MR. STONE AND
MR. DE PASQUALE VOTING NO)**

And a majority of the votes of Council being in the affirmative, the amendment was approved.

Mr. Stone:

Mr. President if I may . . . some Members of Council were not here when we originally put in Emergency Medical Services . . . those of us who were here and were leaders in that fight have strong feelings for Emergency Medical Services and while I have no objections to charging non-city residents, I think it is a question of watching that that isn't something as a condition. If you will recall, on Section 2, I made an amendment last Wednesday and I'd like to further amend it. Where it says "nothing herein shall require payment" I would like then to add this "require payment or proof of ability to pay prior to and conditioned upon the rendering of service and transportation by our Emergency Medical Services."

In short, lets get the emergency condition over with and then we'll handle the bookkeeping about getting money back. The life is more important than the dollars no matter where they are going to come from.

The Chair:

Mr. Stone, the intent I imagine is a

serious and a dedicated one, however my feeling in the matter is that if we are talking about a million dollars in added revenue, most of the out-of-City residents will thumb their nose at us and won't pay it . . . it will cost about a million dollars to collect a half of a million so we will lose about a half a million in the process so if anybody thinks we are going to make any money with this ordinance they have another thought coming.

Mr. Stone:

No, I think you can, there are some various bills that do permit the recovery and that is not the problem but I'd just like to have added after the word payment, or proof of ability to pay . . . that is my intent.

The Chair:

Did you ever try to collect from somebody in Mt. Lebanon or Dormont if they owe the City of Pittsburgh. Forget about it.

Mr. Stone:

I think we can do so as long as we don't make it condition free.

Mr. Bulls:

You know, one of the things that is obvious is that the people who provide this service . . . they go out and service the people already, without this legislation, without them asking them if they have the ability to pay . . . they already do that. So that is not really necessary.

Michelle Madoff:

But Mr. Bulls, you wouldn't object though, to having this in because its the same thing on the other bill, all I was saying is that it doesn't restrict us here, its just a protection kind of language, put it in, what difference does it make.

Mr. Bulls:

I don't object at all.

Mr. Robinson seconded the motion.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes 1 (MR. DE PASQUALE VOTING NO)

And a majority of the votes of Council being in the affirmative, the amendment was approved.

The Chair:

Is there any further discussion on the bill itself?

Mr. Givens:

Yes, Mr. President, bringing some of the points that have been brought out here today that Medical Service is to provide service to the people like that of our Fire Department and Police Department and it is my caution to this Council again that we not levy any payments on anyone that uses Medical Service be they out of town or not because traditionally, from other communities throughout this country, if you do it on the out of town residents, eventually its the residents of that community that will be billed eventually because its another area where you can collect a tax.

I would also like to note that the service charge is \$75.00 not \$60.00 that was quoted by the media. I thought that was a mistake when I read it and I read this ordinance again and its \$75.00, not \$60.00. And we have to recall that most people's insurance policies are \$100 to \$200 deductible which means that people have to pay that first

\$75.00 or that first \$100 whichever the case may be.

Michelle Madoff:

Mr. President, I called the ambulance companies to find out what it would cost without a paramedic just to have an ambulance to take you to the hospital and the figures were between \$55.00 and \$100. We asked Glenn Cannon what he thought the actual cost to the City would be, we were thinking in terms of \$55 or \$60 at the time and he said next year its going to be \$83.00 and he said for this year we would go with \$75.00, we may have to adjust it upward to \$83.00 or \$85.00 next year.

Mr. Givens:

Los Angeles is raising theirs I think from about \$40, \$45 upwards to \$50 or \$55 and the surrounding communities are charging that right now so I just wondered. When this bill goes into effect, it is immediate right today, or whenever the Mayor signs it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	(Pres't)

Ayes 7 Noes 2 (MR. GIVENS AND
MR. DE PASQUALE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3012 Report of the Committee on
Lands and Buildings for March 28, 1979

transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2828

A Resolution entitled, "Resolution providing for a lease renewal to COLUMBIA GAS COMPANY for a term of twenty (20) years for a 8" gas line within the limits of McKinley Park between Suncrest Avenue and Bausman Street for a yearly rental of One (\$1.00) Dollar."

Which was read.

Also,

Bill No. 2871

A Resolution entitled, "Resolution amending Resolution No. 563, entitled: 'Resolution providing for a contract or contracts in connection with construction for the replacement of No. 2 Police Station, Department of Lands and Buildings, Project No. LB 76-03, and providing for the payment of the costs thereof; by increasing the authorized amount from \$216,400.00 to \$556,440.00.'"

Which was read.

Also,

Bill No. 2905

A Resoluton entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Stone:

Mr. President, if I may, you know, too often the citizenry becomes somewhat disgusted with government and I think this is a good example of what sometimes happens. In the 1976 Budget, we went out on bond and borrowed money for the Northside Fire House on Lineal Street, which means that the City of Pittsburgh was talking about it at least some two years before 1974.

If you will recall, we've been watching very carefully that no funds be taken from this fund and that this Firehouse would be erected as quickly as possible because it was obviously needed in that particular area.

We are up to the year 1979 and in spite of all those pressures to get these things done, we had a meeting last Wednesday in which I indicated we are going to get a fire house there and at that time and at that meeting Public Works indicated they had the road plan all done. Lands and Buildings indicated that the building was bought and that we had already entered into a contract for condemnation.

I just learned last Friday that there is under that property now a lot of caverns.

For the first time, someone has decided to find out what is under the ground . . . since 1974 . . . if this isn't the height of stupidity, I don't know what is.

We had it in the Webster-Elba Proejct in the Hill District in which the URA came out and showed the people in the Hill District some beautiful plans and what we were going to do with Webster-Elba. Some three years later, they decided to do a core-boring and found out that we only had 20 feet over a coal mine.

I'm wondering sometimes what we are doing when we spend all this money to find out after its all done, what is involved. Somewhere there ought to be better coordination than that. But at any rate, we are going to proceed to see that something is done. If somewhere some of these Directors need some assistance, perhaps its time to turn on the light for them.

The Chair:

Thank you Mr. Stone.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, I would like to present a resolution to the girls basketball team at Arsenal Middle School. I think it is very good that these young ladies were able to perform they way that they did. The school consists of students from the Garfield, East Liberty, Lawrenceville, Morningside and Homewood districts; it's a good school. When 'I was growing up I went to Arsenal and my son went there too and it was a good school then.

I would like to have the Team Manager and the three coaches come up so I may present them with this. Will you come up please?

Mr. Givens presented

Bill No. 3013 WHEREAS, the Middle School City Championship Basketball game, girls competition, was played on February 28, 1979 at Brashear High School gym; and

WHEREAS, the Arsenal Middle School, because of their outstanding team play, succeeded in winning this Section 2 Championship game by defeating Margaret Millions by a score of 21-20; and

WHEREAS, the girls are led by the energetic coaching efforts of Mrs. Marilyn Barnett; and

WHEREAS, because of their outstanding regular season play, the Mountaineers are deserving recipients of this award, which brings pride and honor to all of our City Middle Schools.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the Citizens of our City recognize the Arsenal Middle School, Mrs. Marilyn Barnett and the players of the Mountaineers Girls Basketball Team for both its academic excellence and sports prowess.

Which was read.

Mr. Givens moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

Mrs. Barnett:

I would just like to say that the girls basketball team from Arsenal School and myself thank you for this. This is a step forward for the girls and the women, women in general to move ahead in sports. Thank you.

The Chair:

Girls, it's time for you to register to vote.

Mr. Robinson presented

Bill No. 3014 WHEREAS, on April 7, 1979, the Pittsburgh Youth Movement for Jobs will sponsor a march and rally beginning at Centre Avenue and Crawford Street and ending in Market Square; and

WHEREAS, the purpose of this rally is to encourage action by city and state government to put jobless youth of Pittsburgh to work, affirmative action to overcome effects of job discrimination, and active support by our city, county, state and federal elected officials; and

WHEREAS, various representatives of local and national organizations advocating jobs for youth will be present and speak at the rally.

NOW, THEREFORE

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and supports the Pittsburgh Youth Movement in their effort to secure:

1. No more cutbacks! Restore the jobs cut from CETA programs.
2. 10,000 jobs for Pittsburgh Youth; 5,000 additional summer jobs with job training, decent wages and working conditions!
3. No cut in Public Education Funds!
4. Use affirmative action to provide jobs where unemployment is most severe.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Robinson:

There will be a rally march held for the youth and by the youth of the City of Pittsburgh for jobs; not just for summer jobs, but also for all year round. The rally will take place, I think on a Saturday.

The Chair:

Why a Saturday?

Mr. Robinson:

It will take place on a Saturday so that all the youths can participate. I believe the march will start in the Hill District on Centre Avenue and will end up downtown at Market Square.

Mr. Coyne:

In regards to this resolution I would like to have a copy sent out to each and every Congressperson in Allegheny County so that they may be aware of this event that will take place. In 1846, Congress passed a bill stating that all the Americans are entitled to full employment opportunity. Up to this time, we still haven't achieved that goal.

The Chair:

Very well.

Michelle Madoff:

Mr. Coyne, in regards to this resolution; and that you would like to have a copy sent to the Congressmen of Allegheny County, I suggest that we have the men come in and we have a hearing, or meeting with them about this problem that we have.

I had an opportunity to talk with a few individuals that worked in the Water Department. They said they have been working in this Department for some time now and they were able to get themselves an apartment, cars and they have bills. Now they are going to be let go; this is a problem, there are a lot of youths that are interested in full time employment.

As far as the march is concerned, I think that the march should take place at high noon, so that everybody will see them. We had a march last year and no one showed up except for myself and Mr. Robinson. The youth didn't show up, it was a cold and rainy day, hopefully it won't be like that this year.

Mr. Bulls:

I believe in the audience we have Mrs. George and Mr. Ector of the Pittsburgh Youth Movement. I would like them to come up so that I may present them with this resolution.

Mr. Ector:

On behalf of the Pittsburgh Youth Movement in the City of Pittsburgh, we thank you for this. We are pushing forward for jobs for the youth all around this City. We

would like to see you on March 7th. Thank you.

Mr. Robinson:

In regards to jobs for the youth, there is a program at the YWCA for women in training for non-traditional jobs. This program is held by the state. The women in the City of Pittsburgh should be involved in this program; but the women that are involved in this program live outside the City.

Mrs. Morgan is operating this program; and I would like to have her, and Melanie Smith to come and talk with this Council maybe on a Tuesday or a Thursday to see if we can solve this problem so that the women in the City of Pittsburgh may be involved in it.

Mrs. Masloff:

I make a motion that we submit this resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair presented

Bill No. 3015

Communication from Mayor Caliguiri appointing Louis R. Dadowski as Magistrate, City Court for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 3016

Resolution approving the appointment by the Mayor of Louis R. Dadowski of 1123 Downlook Avenue as Magistrate, City Court for a term to expire on December 31, 1981.

Which was read.

Also,

Bill No. 3017

Communication from Mayor Caliguiri appointing Walter Richard Little as

Magistrate, City Court for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 3018

Resolution approving the appointment by the Mayor of Walter Richard Little of 8522 Dersam Street as Magistrate, City Court for a term to expire December 31, 1982.

Which was read.

The Chair:

Is there any discussion on the appointment?

Mr. Stone:

Mr. President, it is my understanding that there is a shortage of manpower in the City Magistrate Court; and that they need help quickly.

In view of this, I move that the two nominees be invited to attend this Wednesday's meeting to be questioned by City Council. In addition, that we waive the usual two weeks and vote on them next Monday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Robinson:

Very quickly, Mr. President, this time last year we asked Mr. McGrady to have an audit done on the animals that are loose in the City of Pittsburgh. It seems that last year we had an overabundance and we would not like to have the same problem this year. I would like to meet with Mr. Walker, Mr. S., and Mr. McGrady to see what can be done so that we are not faced with the same problem.

Mr. Stone:

Mr. President, I have just heard the new crime figures, recently released by the F.B.I. and murder and burglaries have

increased considerably in the City of Pittsburgh.

There have been attempts to rationalize these figures, but I believe that, that is wrong.

There is, however, a clear correlation between the lack of police manpower and increased crime.

Our Superintendent of Police admitted that 1,500 police is not a luxurious figure, but we are some 100 plus below that figure.

The Mayor promised to begin the training of a police class on April 1, 1979. I'm not aware that that has happened, but I believe that that will not be enough, under these circumstances.

I therefore move that a letter go to the Mayor requesting that he reconsider, his prior position, and he arrange for a minimum of one more police class this year . . . a minimum of two classes in 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Givens:

Yes, Mr. President, the number of crimes in the City of Pittsburgh has increased since the police force has decreased. In 1974 our police force was increased and the number of crimes decreased.

Mr. Lally:

At last Monday's meeting I talked about the closing of the A&P Stores. I stated that I had talked with the President of the A&P Stores and requested a meeting of Council and these people.

The Chair:

Mr. Lally, you, Mr. Bulls and Mr. Givens are in charge of this. You report back periodically about the progress you are making.

Mr. Lally:

Fine.

Mrs. Masloff:

I would like to make a motion to appoint Mr. Charles T. Briggs to the Cable Communication Committee.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative the appointment was approved.

Mr. Stone moved to approve the minutes of Monday, March 26, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, April 9, 1979

No. 15

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Asst City Clerk

Pittsburgh, Pa.
Monday, April 9, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT:

Mr. Coyne

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls for Mr. Coyne presented

No. 3019 Resolution authorizing the issuance of a warrant in favor of In-

dependent Enterprises, Incorporated, in the amount of Seven Thousand Ninety Four Dollars and Fifty-Three Cents (\$7,094.53) in payment for "Extra Work" in connection with the construction of a public sewer on Yankee Road and Mifflin Road, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3020 Resolution Repealing Resolution No. 160, approved February 28, 1979, effective March 5, 1979, entitled "A Resolution providing for a Contract/s or the use of existing Contract/s for the purchase of Traffic Signal Equipment for the Department of Public Works, Traffic Control Division, and providing for the payment thereof."

Also

No. 3021 Resolution repealing Resolution No. 401, effective June 17, 1976, entitled "Providing for the letting of a Contract or Contracts for the furnishing, delivery and installation of equipment (Motor Truck Pit Scale) for the Department of Public Works and for the payment thereof".

Also

No. 3022 Resolution further amending Resolution No. 1288, approved November 17, 1978, effective November 24, 1978, as amended by Resolution No. 18 approved January 17, 1979, effective January 19, 1979, entitled:

"Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Traffic Planning and Engineering Services in connection with improvements in the East Liberty Mall area, and providing for the payment of the cost thereof", by increasing the total allocation to Forty Thousand (\$40,000.00) Dollars.

Also

No. 3023 Petition from residents of Remington Drive requesting repaving of Lee Way.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3024 Resolution providing for a Supplemental Agreement with the Urban League of Pittsburgh, Inc., for housing counseling and housing information services, extending the term of the Agreement through May 31, 1979.

Also

No. 3025 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ronald E. Holmes and Deborah Holmes for the sale of Parcel 114 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3026 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allen Finley III and Beulah Finley for the sale of Block 174F Lot 1 in the Thirteenth Ward of the City of Pittsburgh.

Also

No. 3027 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Henry Thomas III for the sale of Block 22P Lot 308 in the Twenty-First Ward of the City of Pittsburgh.

Also

No. 3028 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William E. Brewton and Marlena L. Brewton for the sale of Block 22R Lot 215 in the Twenty-First Ward of the City of Pittsburgh.

Also

No. 3029 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marlene Jones for the sale of Block 22P Lot 311 in the Twenty-First Ward of the City of Pittsburgh.

Also

No. 3030 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Shirley L. Musselwhite for the sale of Block 22F Lot 237 in the Twenty-First Ward of the City of Pittsburgh.

Also

No. 3031 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph A. Shaw for the sale of Block 22K Lot 103 in the Twenty-First Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3032 Resolution authorizing the Director of the Department of Lands and buildings on behalf of the City of Pittsburgh, to execute the necessary documents adopting a plan of lots in subdivision, as Agent of the Three Taxing Bodies' under the subdivision laws of the Commonwealth of Pennsylvania and the City of Pittsburgh.

Also

No. 3033 Resolution repealing Resolution No. 959, approved 10/5/77 which

authorized the sale of a 2 sty. brk, hse. on 514 Knoll Street, Block 23-H, Lot 154, to Linda J. Rouda Waxter, for the sum of \$850.00. Reason for repealing is structure has deteriorated that posting for condemnation was necessary. Hand money of \$425.00 will be returned.

Also

No. 3034 Resolution repealing Resolution No. 690, approved 8/1/77 which authorized the sale of property in the 17th Ward vacant lots on Windom Street, Block 3-K, Lots 194-195 to Thomas W. Brown, for \$750.00. Hand money of \$100.00 to be forfeited as purchaser has failed to comply with agreement of sale.

Also

No. 3035 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3036 Resolution providing for the issuance of a warrant in favor of Keystone GMC Truck Company, 1414 Montier Street, Wilksburg, PA 15221 in the amount of \$672.73 in payment for the repair of two generators furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3037 Petition from Squirrel Hill Urban Coalition requesting a hearing regarding re-instatement of the Pa-Pitt Program, continuation of weekly street sweeping; the need for an anti-litter campaign in the community; the need for an agreement between the City and the utility companies to prevent the excessive pruning of trees.

Which was read and referred to the Committee on Public Works.

Mr. Robinson presented

No. 3038 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of two Four Wheel Commercial Mowing Tractors for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3039 Resolution providing for an Agreement or Agreements with ACTION-Housing, Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Council on Three Rivers American Indian Center, Inc., Elder-ado, Golden Triangle Association, Greater Pittsburgh Camp Fire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, Northside Civic Development Council, Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, South Oakland Citizens Council, Theatre Express, United Jewish Federation of Greater Pittsburgh, United Manchester Redevelopment Committee, Young Men's Christian Association, and Youth City of Pittsburgh, Inc. for the implementation of the Comprehensive Employment and Training Act, and Providing for the payment of the costs thereof.

Also

No. 3040 Resolution providing for earned vacation pay for the former City Magistrate for the year 1979.

Also

No. 3041 Resolution providing for earned vacation pay for Valerie Holley, former Stenotype Reporter, City Clerk's Office, for the year 1979.

Which were severally read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only

until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3042 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,192.01 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1971 pursuant to the provisions of the Disposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also

No. 3043 Resolution transferring the unencumbered balance of \$20,250.00 to close the Salvor Reimbursement Revolving Trust Fund, Special Trust Fund #1, Equibank, N.A.

Also

No. 3044 Communication from John E. McGrady, City Controller, submitting Performance Audit of the Pittsburgh Zoo, Department of Parks and Recreation as of April 1979.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 3016

Resolution that the appointment by the Mayor of Louis R. Dadowski be and the same is hereby approved and confirmed as Magistrate, City Court for a term to expire December 31, 1981.

Which was read.

Mr. Stone moved for approval

Mr. Lally seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Also,

Bill No. 3018

Resolution that the appointment by the Mayor of Walter Richard Little be and the same is hereby approved and confirmed as Magistrate, City Court for a term to expire December 31, 1982.

Which was read.

Mr. Stone moved for approval.

Mr. Lally seconded the motion.

The Chair:

Is there any discussion on the appointment?

Michelle Madoff:

Mr. President, I would like to make a comment, I am in favor of both appointments and I will vote aye, however, if the next appointment is not that of a woman, there is only one woman Magistrate, I will not vote at all and I will picket the Mayor's Office.

Mr. Givens:

I would like to make a comment also, we had three appointees since I've been here, one has been a woman and two have been men.

The Chair:

If the rest of the women turn out as bad as her we're in trouble. That's Gretchen Donaldson.

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3045 Report of the Committee on Report of the Committee on Finance for April 4, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2949

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Clement's Marine Sales, Inc., 702 River Avenue, Pittsburgh, Pennsylvania 15212, in

the amount of \$993.00, in payment for repairs to the River Patrol Boat, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2965

A Resolution entitled, "Resolution amending Resolution No. 1286 - effective November 24, 1978, entitled: 'Authorizing the issuance of a warrant in favor of Midwestern/Incorporated, in the amount of Three Thousand One Hundred Eighty (\$3,180.00) Dollars, in payment for work performed at Phillips Park Swimming Pool and Bathhouse furnished for the benefit of the City without previous authority of law; and providing for the payment thereof', by decreasing the authorization to Two Thousand Three Hundred (2,300.00) Dollars."

Which was read.

Also,

Bill No. 3002

A Resolution entitled, "Resolution trans-

ferring the sum of \$200,000.00 from Code Account 41, Refunds, Real Estate Tax, to Code Account 46, Judgments."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls for Mr. Coyne presented

No. 3046 Report of the Committee on Public Works for April 4, 1979 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2951

An Ordinance entitled, "An Ordinance supplementing Section 2 and Section 3 of Ordinance No. 335, entitled, 'An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh and providing penalties for the violation thereof', approved October 3, 1922, as amended and supplemented."

Which was read.

Also,

Bill No. 2952

An Ordinance entitled, "An Ordinance supplementing Section 2 and Section 3 of Ordinance No. 335, entitled, 'An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh and providing penalties for the violation thereof', approved October 3, 1922, as amended and supplemented."

Which as read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3047 Report of the Committee on Planning, Housing and Development for April 4, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2950

A Resolution entitled, "Resolution providing for an agreement with Troy Hill Citizens, Inc., for the installation of park benches and

a split rail fencing in and around an area leased from the City of Pittsburgh for park purposes."

Which was read.

Also,

Bill No. 2955

A Resolution entitled, "Resolution providing for an agreement with Crossgates Inn, Oakland, for the use of a conference room and provision of food and beverages for a Citizen Participation Conference on April 7, 1979."

Which was read.

Also,

Bill No. 2988

A Resolution entitled, "Resolution providing for an Agreement or Agreements for the Reduced Fare Loop Bus Project in the Hill District and Oakland and providing for the payment of the cost thereof, and repealing Resolution No. 290 of 1979."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3048 Report of the Committee on Supplies for April 4, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2970

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of magnetic locators for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 2971

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of physical fitness outdoor trail courses, for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 2972

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of equipment for pools (hydropumps, diving standard, guard chair seats, etc.), for the Department of Parks and Recreation and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 3049 Report of the Committee on Parks and Recreation for April 4, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2966

A Resolution entitled, "Resolution amending Ordinance No. 694 of 1975 which amended Ordinance No. 531 of 1975, which amended Ordinance 453 of 1975, entitled: 'An Ordinance providing for the letting of a Contract or Contracts for the renovation of Ballfields at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof' by decreasing the authorization to Seventy Thousand Five Hundred Seventeen Dollars and Twenty-Seven Cents (\$70,517.27)."

Which was read.

Also,

Bill No. 2967

A Resolution entitled, "Resolution providing for an agreement or agreements with Three Rivers Arts Festival for the purchase and installation of the sculpture 'Pittsburgh' in connection with the Department of Parks and Recreation Public Art Program and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

Mr. President on Bill No. 2966, I had a meeting with some people in Oakland yesterday, concerning a ballfield that they believe will be taken away from them in mid-season. I just spoke to Mr. Natoli and he confirmed that the contractors would be coming on the first of August, and these people are very concerned that the children will not have something to do to keep them off the streets.

Until that is resolved, I just wondered if we could postpone it for a week.

On Bill No. 2967, they also are concerned about some sculpture being put in the park where they claim they are presently using parking facilities and they hope that they won't have to give up their parking facilities for the sculpture. This was not brought to my attention until yesterday. It may have no bearing on these two particular problems, but I would like clarification before we vote on it. Can we hold it for a week?

The Chair:

One comment on the ballfield, we are talking I think specifically the Schenley Oval as it is called, and the meeting apparently was the Oakland Pony League, and Mrs. Madoff, you've been accused of telling everybody at that meeting that all Councilmembers except yourself were opposed to them using that field. . .

Michelle Madoff:

Do you have proof that I said that? You keeping making accusations against me that are absolutely unfounded.

The Chair:

I am only telling you this was said. . .

Michelle Madoff:

I was there yesterday because these

people invited me to come there to tell me their problem.

The Chair:

Its not unfounded, you said it.

Michelle Madoff:

I didn't tell them anything because I didn't know anything about it.

The Chair:

Just be careful with your lies when you are talking to people.

Michelle Madoff:

When you're talking about lies, you head the list Sir.

The Chair:

Just be careful because I have some friends too in the Oakland Pony League.

Michelle Madoff:

The only was you can attack me is to spread scurrilous lies and you do this all the time.

The Chair:

You do it yourself Mrs. Madoff, I don't.

Michelle Madoff:

You're a disgrace.

The Chair:

Liars never like to get caught.

Michelle Madoff:

We're supposed to be dealing with business, not with what somebody said to somebody.

I asked a question, can we postpone these to find out what the situation is, for a week, yes or no?

The Chair:

What is your pleasure ladies and gentlemen, she wants to hold these bills for a week.

Any second on the recommittal?

There being no second, a vote on the bills Mr. McCray.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes 1 (MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally,

Also,

Bill No. 2968

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Architects/Engineers/Landscape Architects or Surveyors, for Professional Services in connection with the design of Various Playgrounds in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No.2969

A Resolution entitled, "Resolution providing for the filing of an application by the City of

Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT: providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3050 Report of the Committee on Lands and Buildings for April 4, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2959

Resolution repealing Resolution No. 1349, approved 11/27/78 which authorized the sale of

property in the 26th Ward on No. Charles Street, Block 45-M, Lots 111-112-113 to Keith & Brenda J. Younger for the sum of \$600.00. Purchaser requested cancellation of sale due to financial difficulties. Hand money of \$100.00 to be returned by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 2960

Resolution repealing Resolution No. 415, approved October 18, 1974 for the sale of property in the 5th Ward on Davenport Street, Block 10-N, Lot 51 to Deloris Corley for the sum of \$950.00. Purchaser has not compiled to agreement of completing sale and hand money in the amount of \$150.00 shall be forfeited.

Which was read.

Also,

Bill No. 2961

Resolution repealing Resolution No. 1086, approved 11/10/77 which authorized the sale of 3 - 2 story brick houses on 1605-07-09 Brighton Place, 25th Ward to Patricia G. Clark for the sum of \$1,500.00. City cannot give clear title due to a defect in the title. Hand money of \$150.00 will be returned to purchaser by Department of Lands and Buildings.

Which was read.

Also,

Bill No. 2962

Resolution repealing Resolution No. 1373, approved 12/1/78 authorizing the sale of property in the 26th Ward 3016 Perrysville Avenue, Block 77-J, Lot 9, to Joseph Krasicki, Jr., for the sum of \$200.00. Intended use denied as it is not permissible due to R-2 Zoning. Hand money of \$100.00 to be returned to purchaser by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 2963

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, I would like to request that Council set a public hearing to address the issue of litter and debris in our City neighborhoods.

The reason I raised the question is so that we can respond to the numerous phone calls and letters from residents concerning trash, garbage and litter in their neighborhoods, and also to get some indication from the Administration as to whether or not there will be some sort of Citywide effort.

Hopefully, one hearing will allow all interested parties to express their concerns and possible solutions to this significant environmental problem. This is in no way to take away from the initiative of the Community Groups who might want a special hearing in their neighborhoods. But it appears that we have a City-wide problem and possibly if Council takes some action, we could encourage all the groups to come in and maybe we could handle it all at one time. We could get a handle on the City-wide problems.

The Chair:

Are you talking about a general public hearing?

Mr. Robinson:

Yes, I am.

Mr. Stone:

Councilman Robinson, I don't know if you are aware, it is my understanding that the Mayor has introduced some legislation along those lines which will be covering primarily the CB districts. As well, it obviously should be broadened out to cover all these communities. I think a public hearing would be in order, but it might be better to wait until we get that and then go out on one thing rather than a portion of it and keep chasing one another.

Michelle Madoff:

Mr. President, this morning the Squirrel Hill Coalition delivered to the front desk a petition for exactly the item that Mr. Robinson is addressing. It states "we the undersigned request a hearing on the following subjects: The reinstatement of the Pa Pitt annual trash pick-up, continuation of weekly street sweeping instead of the proposed minimum of three times per year, the need for an anti-litter campaign in the community, the need for agreement between the City and the utility companies to prevent the excess pruning of trees, etc."

Interestingly, between the front desk and my office, my copy disappeared. For-

unately there was a copy that Sophie Masloff had and I have that copy.

I think Mr. Robinson's point is well taken. . .the problem is not just one of the downtown central business district, I too have heard from numerous areas, not just the Squirrel Hill segment of the community.

The problem I had with the Squirrel Hill people, the Shadyside people and other groups is that they are having problems because most of the people who would come to a Council hearing are at work and they would like to have an evening meeting.

I would be interested in prevailing on the Squirrel Hill community to see if they would join with your concept, Mr. Robinson, and have one major hearing to address the problem and perhaps also, we should be having a vote on the amended Code. Perhaps ask them if they would wait, its a matter of just a few weeks, and then have one major meeting, and have it with spokespeople of each group in the evening. Their great concern is that we don't have evening meetings.

I got a letter from the Shadyside group and it said that they requested an evening meeting and were told that we don't give evening meetings.

Perhaps, I could first of all, item one, get clarification. . .did Council vote never to have evening meetings? That is what they were told, is that true Mr. Perry.

Mr. Perry:

As long as I've been here we haven't had any.

Michelle Madoff:

You haven't had any, but there is not a rule that says you can't have one?

Mr. Perry:

If the President and Members of Council want one.

Michelle Madoff:

Well, I do think that we certainly can't be called upon to have a meeting every day or even every week, but certainly once or twice a month, we might have a number of communities together, because very frankly, people do go to work and they just don't have the opportunity to come down to this area.

To wit: the hearing that was transferred from here over to Manchester Citizens Group. They had a room full of people that: a) found it difficult to get here and b) people that worked.

I think we have a responsibility to let the people be heard at a time that they are free to be heard.

The Chair:

Let me clear a couple of matters up . . . first of all,, Mr. Perry the Chief Clerk seems to think that the hearing tomorrow will cover most of what you are talking about.

Michelle Madoff:

Entirely different subject.

The Chair:

The other, I think you all received the communication from Mead J. Mulvihill, and I want to make it clear especially to the press, its the prerogative of the President of City Council to set the time and place of any meeting. When I see fit to set an evening meeting I will do so, otherwise I won't.

My fear of evening meetings is that they can get completely out of hand and it would disrupt the normal procedure of City Council. However, if these people in the 14th Ward area want an evening meeting that bad, and send in a petition requesting so, I think we can see fit to grant them an evening hearing, but I wouldn't like to see that practice become widespread.

Michelle Madoff:

Mr. President, my understanding. . . I was also confused on the meeting tomorrow

because of the Squirrel Hill. . . I thought it was the same subject matter. I understand it is an entirely different matter. It pertains to a garage in the area and it goes back to communications with Council into the '60s, there is a priest, I believe, who is going to represent the group. It is a different segment of Squirrel Hill that has a specific problem. This is the same problem that Mr. Robinson, and I'm sure other Members of Council, have had calls on from various communities. If, as Mr. Robinson has pointed out, we should have one major meeting, and I would support that concept, I think it would have to be in the evening and I don't think it is fair or just to say that meetings necessarily get out of hand in the evening, I mean, they can get just as out of hand in the daytime.

If we have people in a community and it is being, or even have it right here in the evening, but we don't discuss normal business, we just have a hearing as we do on a Tuesday or a Thursday, I see no reason why we couldn't have an evening meeting with representation from various groups presenting similar problems.

Mr. Stone:

Mr. President, if I may, I think what you ought to do is wait until this legislation comes through and then obviously, a public hearing will be necessary. At that time, determine what is in the best interest of all parties concerned.

The Chair:

Thank you.

Mr. Givens:

I just have one comment. . . if we have a public hearing anyplace, we have to have our legal people, non-trained, plus clerical people and we have to have proper amplification of all the Councilmembers there so they can be heard throughout the whole room and I don't know, whenever they have one of these meetings, if such equipment is to be at our disposal in order to conduct it properly. . . if it is in this Council there is no problem.

Michele Madoff:

There is one other problem, Mr. Robinson, with having a meeting of this nature for the whole City or for various communities. . . I think if we had a meeting in the evening, particularly with the Squirrel Hill people pertaining to the litter and the Pa Pitt Program, you might get 60 or 70 people. If you had six communities involved in that you certainly wouldn't have room here. . . you might need Soldiers and Sailors Hall if you did the City.

Mr. Robinson:

Well, what I'm suggesting is that Council take the initiative to recognize the problem that that same token allowing the Community Groups to still exercise their prerogative to request a hearing on any topic, I think the President's comments surrounding setting the meeting makes a lot of sense. I think we certainly would not want to take this to the extreme, I would suspect that we could have hearings in various communities without them being official hearings of Council. That is, Council setting a meeting in a community and those interested parties who wanted such information could do so, present such information, for those Members of Council who attended, which was the case in Manchester. I think that certainly would address many community groups concerned, that some Member of Council or Members of Council would come into their communities to hear them.

I'd just like to mention, in response to Mr. Stone's comments, I think it would be very appropriate to wait until the legislation comes forward and set the hearing in such a fashion that we can cover the whole City because I think there are those people who would like to also change our present litter ordinance to affect the neighborhoods, and it would be more appropriate at that time perhaps, to contemplate on some sort of general ordinance.

The Chair:

Thank you Mr. Robinson.

Michelle Madoff:

In the Squirrel Hill hearing, they are requesting more than the litter, they are asking for some commitment on the Pa Pitt, and other items, I guess like every group they have a right to ask for hearing. And, as you've pointed out, we certainly can take each community separately.

I would also like to point out that for those of us who attended the gripe sessions, I think there were 45 of them, I didn't get into the act until about the last 10 or so, that the Mayor had set up. If you went out and listened to those, you're not going to hear anything new that you didn't hear at those gripe sessions. They are the same items that the Squirrel Hill Coalition and that you are getting calls on. They want the litter picked up, they want Pa Pitt, and the Mayor's Complaint Service did a phenomenal job of trying to collate this and put it together and I think there should be a summary forthcoming, or certainly available to Members of Council. Maybe the answers. . . we know the problem . . . maybe we ought to address it

Mr. Bulls:

About three Wednesday's ago we talked about the UDAC Grant on the North Side and

I expressed concerns about Charles Street being part of the statistics to get the UDAC Grant and then they were being left alone. Councilman Stone suggested to Paul Brophy that he meet with the Charles Street Group to sort of ease their concerns. At this point, this has not happened and they are really concerned now, so I would appreciate it on the Post Agenda for next Wednesday that Mr. Brophy would show up.

The Chair:

Mr. Perry, would you see that he comes up?

Mr. Stone moved to excuse Mr. Coyne for absence from this meeting.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

I may add that Mr. Coyne is home with a bad back, he has had it for three or four days and lets hope he has a quick recovery.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, April 16, 1979

No. 16

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, April 16, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3051 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Donald J. Lee, Esq., in the amount of \$360.00, in payment for professional services rendered

to the Council of the City of Pittsburgh, without previous authority of law.

Also

No. 3052 Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty-Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof.

Also

No. 3053 Resolution providing for the issuance of a warrant in favor of Boquet Construction Company Incorporated, in the amount of Five Hundred Seventy Four Dollars (\$574.00), in payment for Extra Work furnished for the benefit of the City in connection with Sidewalk Construction/Various Locations and Other Work Incidental thereto; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also

No. 3054 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$24,000.00 for extra work in connection with Herron Avenue Bridge, Controller's Contract No. 23434.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3055 Communication from Edward DeLuca, Director, Department of City Development, requesting permission to attend Economic Development Administration Meeting, Washington, D.C., April 18-19, 1979, at cost not to exceed \$170.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3056 Communication from Harold West, Director of Lands and Buildings, requesting interim approval of payment of \$1,500.00 to Honeywell Control Corporation for repairs to Master Fire Alarm System at Allegheny Regional Branch, Carnegie Library and Pittsburgh Public Theater Building.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3057 Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company, 3624 Bates Street, Pittsburgh, Pa. 15213, in the amount of \$2,075.50 in payment for installation of a catch basin, terra cotta pipe and sewer casting, furnished for the benefit of the City in connection with the water line installation on Brighton Road between West North Avenue and Jacksonia Street, City Controller's Contract No. 23171-F and providing for the payment thereof.

Also

No. 3058 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960 in the amount of \$9,000.00 in payment for the sealing and plugging of three 30" outlets furnished for the benefit of the City in connection with the Rehabilitation of Sedimentation Basins Nos.

1, 2 & 3, City Controller's Contract No. 23098-F and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 3059 Resolution providing for a Cooperation Agreement or Agreements with the Ohio River Valley Sanitation Commission (ORSANCO) in connection with the Early Warning Organics Detection System.

Also

No. 3060 Communication from John C. Miller, Director, Department of Water, requesting permission to attend Adsorption Techniques Conference, Reston, W. Va., April 29-May 2, 1979, at cost not to exceed \$475.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3061 Resolution providing for an Agreement or Agreements with the Musicians Performance Trust Fund of the National Musicians Union for the provision of musical services in connection with the 1979 Music Program in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 3062 Resolution amending Resolution No. 99, approved February 13, 1979, effective February 16, 1979, entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost, which is not to exceed \$30,000.00, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation," which was amended by Resolution No. 266, effective April 3, 1979 by

changing the "Code Account to Code Account 1833, Concerts," by providing \$2,000.00 for additional services, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 3063 Resolution authorizing the Solicitation of Proposals for Principal Amount, General Obligation Bond Anticipation Notes of 1979, Series A, providing for the payment of the expenses of such sale and repealing inconsistent Resolution.

Also

No. 3064 Resolution amending Resolution 1589 approved December 30, 1978, effective January 1, 1979 entitled, "Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to Capital Funds" by adding additional section.

Which were read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3065 Resolution authorizing issuance of a warrant in favor of Irvin Taylor in the sum of \$547.73 in settlement of claim for damage.

Also

No. 3066 Resolution authorizing issuance of a warrant in favor of Harold E. Evans in the sum of \$547.77 in settlement of claim of damages.

Also

No. 3067 Resolution authorizing issuance of a warrant in favor of Robert Arrington in the sum of \$1,600.00 in settlement of claim for damages.

Also

"No. 3068 Resolution authorizing and directing the Mayor to issue and the Controller to countersign a warrant in the amount of \$32,163.00 in favor of the City of Pittsburgh, Liquid Fuel Tax Account #0925150029, Equibank, N.A. and chargeable to the City of Pittsburgh Liquid Fuel Tax Account No. 921-7716, Mellon Bank, N.A.

Also

No. 3069 Resolution amending Resolution No. 286, approved March 29, 1979 effective April 3, 1979 entitled, "Providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward from April 1, 1979 for a term of one year at rental of \$630.33 per month to house the operation of the City CETA Youth Program, upon certain terms and conditions; and providing for the payment of cost thereof."

Also

No. 3070 Communication from Mead J. Mulvihill, Jr. requesting permission for Assistant City Solicitor Bernice Hummert to attend Pennsylvania Department of Community Affairs Instructional Program on Municipal Risk Management, April 19-20, 1979, Monroeville, Pa. at cost not to exceed \$40.00, payable from Code Account 1075, Miscellaneous Services, Department of Law.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 3071

April 11, 1979

President and Members of Council
510 City-County Building
Pittsburgh, Pennsylvania 15219

Re: Bill No. 2912 of 1979

Dear President and Members:

Bill No. 2912 of 1979 is a resolution providing for an agreement or agreements with a consultant or consultants for professional services in connection with a cable communications system for the City of Pittsburgh, and providing for the payment of the cost thereof.

The Bill was amended in Committee on March 28, 1979 to include a provision that "The above agreement shall be submitted to City Council for prior approval." The Law Department has advised me that this amendment raises serious questions under Section 510 of the Pittsburgh Home Rule Charter and under the separation of powers doctrine.

For these reasons I hereby veto Bill No. 2912 of 1979 and return the same unsigned. The administration will be pleased to submit a copy of the subject agreement to City Council on a voluntary basis so that Council may review it. Alternatively, I would approve the resolution if the language of Section 2 were revised to read: "The above agreement shall be submitted to City Council for its information and review."

Very truly yours,
RICHARD S. CALIGUIRI

Which was read, received and filed.

Also,

Bill No. 2912

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Services in connection with a Cable Communications System for the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the veto?

Mr. Givens:

Mr. President, I think we are all in receipt of the letter from the Mayor and I have to agree with him on his notation that the above agreement shall be submitted to City Council for its information and review, and of course reading the Mayor's opinion in regards to the Home Rule Charter and Section 510.

But, I still feel that it is incumbent upon the Council here to review... this is very important, we are talking about a multi-million dollar... \$30 to \$80 Million. I've heard it said that by the time the system is completed, and the sensitivity of tele-communications, this is not Cable TV, it is tele-communications, and that opens up a wide world to all of us in the very near future, and something of this magnitude... I'm not trying to say that I'll disagree with the Mayor, we are asking for a Consultant to come in here, I'd just like this Council, the elected officials of the people of this City to have some say in what goes on. And, they say, maybe, that they should keep politics out of Cable Communication. As representative of the people, I would like to make damn sure that we have the politics in this Cable Communication in the effect that we represent them as elected officials and therefore, I would like to propose that we get some type of language, or disagree with the above language, because once we approve this \$25,000 for a Consultant, if in fact they need a consultant, as Sophie might so allude to in her statement here, that once we give this \$25,000 to a Consultant then we have no more say... other than as the Mayor says, we can if so desired, for information and review. That then releases the prerogative and the control and the authority from this particular Council body, and I feel very strongly that if we do this then we are delineating our responsibilities to the people who elected us.

Mrs. Masloff:

Mr. President, chances are we won't need a Consultant. But, if we do, I will take the recommendation of the Cable Committee, who by the time we need a consultant, if we do, will have made a careful study and will be knowledgeable and will be able to recommend someone.

The final word, however, will rest with Council as to who gets the franchise, this will only be a recommendation by the Consultant. At this point, I would like to make a motion to sustain the Mayor's veto, because I don't care who the Consultant is, as long as he is competent and chosen by the Committee.

Michelle Madoff:

Mr. President, I think the real concern, and I would think that perhaps what Mr. Givens is saying, is that when the time comes for Council to make its choice, recommended by the Advisory Board, who really have spent a great deal more time than any of us would have available to us to research which is a better system for this particular area. . . I feel personally that I would be hesitant to vote on any system I haven't seen, and that is an area that we should be discussing somewhere along the line. There are many pros and cons on the system that we have heard about, but I haven't seen "Q", I haven't seen some of the other systems, the ones you can vote on, the ones you can have Home Box Office, I can't compare the two or the three or the four that will be recommended to us. And, at that point I think we are going to have to see what Brother Emenecker is doing and then somehow or other get to see the various systems that we are going to be voting between or approving.

I don't think we can vote in a vacuum.

Mrs. Masloff:

Well, at this point I move to sustain the Mayor's veto.

Michelle Madoff seconded the motion.

Mr. Givens:

I am going to vote no on the sustention of the Mayor's veto, and I'd like to make a comment that I do not do this with disrespect for the Mayor and his intentions, but I still feel that this Council should have an input into this most serious matter.

Mr. Stone:

I will be voting aye, and I would like to make it very clear, I respectfully differ with the legal opinion, I don't agree with the logic

and his interpretation of Section 510 in this instance, but nevertheless, I still vote to sustain the veto.

The Chair:

Is there any further discussion on the veto?

And on the question, "Shall the veto be sustained?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the veto was sustained.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3072 Report of the Committee on Finance for April 11, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2982

A Resolution entitled, "Resolution transferring One Thousand Two Hundred Fifty (\$1,250.00) Dollars from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2983

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to J-Jac Construction Corporation in conjunction with the Reconstruction of Forbes Avenue from Murray Avenue to Shady Avenue, Controller's No. 22728, and reducing the retained percentage from 10 (10%) percent to one (1%) percent."

Which was read.

The Chair:

I'd like to mention that I will abstain from voting on this bill for reasons previously given.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes 0

(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2989

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the County of Allegheny, in the amount of \$727.45, in payment for work performed in connection with the removal of architectural barriers, City-County Building, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2997

A Resolution entitled, "Resolution transferring the sum of \$10,000 from Code Ac-

count No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	0
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3003

A Resolution entitled, "Resolution providing for the issuance of a warrant to Walter J. Lech and Susan Lech in the amount of \$579.79 in full settlement of claim for property damages, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3039

A Resolution entitled, "Resolution providing for an Agreement or Agreements with ACTION-Housing, Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Council on Three Rivers American Indian Center, Inc., Elderado, Golden Triangle Association, Greater Pittsburgh Camp Fire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, Northside Civic Development Council, Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, South Oakland Citizens Council, Theatre Express, United Jewish Federation of Greater Pittsburgh, United Manchester Redevelopment Committee, Young Men's Christian Association, and Youth City of Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Mr. Robinson:

Mr. President, I'd like to make a motion to amend Bill No. 3039 by changing the agency name that reads "United Manchester Redevelopment Corporation" to read "Manchester Citizens Corporation" Please change that all times that it is mentioned in the legislation.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

Bill No. 3040

A Resolution entitled, "Resolution providing for earned vacation pay for the former City Magistrate for the year 1979."

Which was read.

Also,

Bill No. 3041

A Resolution entitled, "Resolution providing for earned vacation pay for Valerie Holley, former Stenotype Reporter, City Clerk's Office, for the year 1979."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9 Noes None

And a majority of votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3073 Report of the Committee on Public Works for April 11, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2984

A Resolution entitled, "Resolution vacating Warner Street from Fulton Street to Columbus Avenue and Adams Street from Fulton

Street to the Pittsburgh, Fort Wayne and Chicago Railroad right-of-way line in the Twenty-First Ward of the City of Pittsburgh, abandoning the 6-inch waterlines located in Warner Street and Adams Street and excepting and reserving easements for the 18-inch and the 66-inch sewers located in Warner Street, and the 102-inch by 97.5-inch sewer located in Adams Street."

Which was read.

Also,

Bill No. 2985

A Resolution entitled, "Resolution vacating Heidkamp Way between Laughlin Avenue and Lacona Street in the Twenty-Ninth Ward of the City of Pittsburgh, excepting and reserving an easement for the 8-inch sewer line located therein."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3074 Report of the Committee on Planning, Housing and Development for April 11, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2869

A Resolution entitled, "Resolution amending Resolution 527, approved May 22, 1978, entitled, 'A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof' by increasing the amount of the agreement."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3075 Report of the Committee on Parks and Recreation for April 11, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2995

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for use, by the City, of certain facilities owned by the School District and for use by the School District of certain facilities owned by the City during the period of January 1, to December 31, 1979."

Which was read.

Also,

Bill No. 3001

A Resolution entitled, "Resolution providing for agreements or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Hill House Association, and the South Oakland Youth League for implementing the 1979 Summer Recreational Cultural Program and providing for the payment of costs which shall not exceed \$10,000 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3076 Report of the Committee on Lands and Buildings for April 11, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2990

A Resolution entitled, "Resolution granting a License to Duquesne Light Company for the installation of overhead wires over and across two (2) City properties, fronting on Stadium Street, 20th Ward."

Which was read.

Also,

Bill No. 2991

A Resolution entitled, "Resolution providing for a License Agreement with Bell of Pennsylvania for the installation and maintenance of a conduit system and other underground appurtenances on City property, 27th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

Bill No. 3076 WHEREAS, on April 11, 1979, the Honorable Anthony C. Troiano officially submitted his notification of retirement at City Court Magistrate; and

WHEREAS, Mr. Troiano has faithfully performed his duties as Magistrate since April 2, 1970; and

WHEREAS, Mr. Troiano was a conscientious, energetic, and reliable Magistrate who gave generously of his wisdom in administering justice in the Courts.

NOW, THEREFORE,

BE IT RESOLVED, That the Mayor and the Members of the Council of the City of Pittsburgh hereby recognizes and applauds the Honorable Anthony C. Troiano for his 9 years of distinguished judicial service and wish Mr. Troiano a rich and happy retirement.

Which was read.

Mr. Stone moved for approval.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

Bill No. 3077 WHEREAS on April 16, 1979, the Honorable Louis Dadowski officially submitted his notification of retirement as Traffic Court Magistrate; and

WHEREAS, Mr. Dadowski has faithfully served the City of Pittsburgh since 1937, first as Assistant City Solicitor, and later appointed as City Magistrate on January 13, 1970; and

WHEREAS, Mr. Dadowski's sincere concern for the social well being of our City has earned numerous commendations throughout his career; and

WHEREAS, his zeal and labor for administration of justice in the Courts will be

greatly missed in our City though the spirit of his work will forever remain.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh hereby recognizes and commends the Honorable Louis Dadowski for his 42 years of dedication, devotion, and service to the citizens of Pittsburgh, including his 9 years as City Magistrate, and extends its hopes and good wishes for a long and happy retirement.

Which was read.

Mr. Stone moved for approval.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

I think a hand for both gentlemen is in order.

Applause

I only have one comment to add, I think it is rather tragic and sad that two capable gentlemen like Mr. Troiano and Mr. Dadowski had to be removed from the bench because of a technicality. . . their age. Certainly in spirit, they are a lot younger than some of the people serving there now, and I doubt if they will ever be replaced capably. I have nothing against the two replacements or any future replacements to go to City Court. Thank you.

Michelle Madoff:

Mr. President, I would like to request that we have a Post Agenda meeting this Wednesday, or if it is possible, after one of our Zoning hearings this week, depending on your time frame, Mr. Perry, to have Mr. Brophy, Mr. West, Mr. Rege Valaw and someone from the Legal Department present. I bumped into Judge Flaherty at lunchtime and he mentioned to me that he had completely changing the way we are

selling City owned property and making a major change. I was not sure because it was a brief encounter, as to what he was talking about in the legal aspect, but, it appears that, once more, as I have indicated, that it just came to his attention, it just dawned on him and on Mr. Valaw that indeed the public did not know when a piece of land was being sold because he would go into his court twice a month and say, "Who is interested in lot so and so" and he said no one is interested except the one person and they are going to change the whole procedure and I think we ought to be briefed in Council as to what the changes would be.

At the same time, I would like to request that we follow through in some of the motions, a resolution has been passed in Council as to how we will sell the lots in the future and how they would be listed. I don't think anything has been done about it yet and I think we ought to be briefed as to when it will be started.

The Chair:

Mr. Perry, will you please.

Mr. Givens:

Mr. President, in concern with the Pa Pitt Program and the clean up of the neighborhoods throughout the City of Pittsburgh. . . we touched on it a little bit in the past, in regards to our Environmental Agency here in the City of Pittsburgh, but, I'd like this coming Wednesday, as a Post Agenda item, to have our Environmental people up and the Department of Public Works and I will submit to the Chief Clerk other names possibly.

We have to have a resolution on this, especially. . . and someone from the Mayor's Office in regards to this, as to how are we going to conduct the pick-up of large bulk items in the garbage department. As far as picking them up and how are we going to do it, how are we going to clean up the hillsides and who is going to do this particular work.

We are very quickly approaching the month of May which is generally the spring clean-up time and I know many neighbors and many communities have addressed this

problem to me and I can't give them a straight out answer. So, possibly, this coming Wednesday, in a Post Agenda, if we might, find out what the Administration has, or what they want to do.

Mr. Stone:

I think it might be wise to wait until after the elections Mike, everybody has a desire for things, but there are some things that can wait until after that time. . . your next month is pretty heavy isn't it Mike, as I recall.

Mr. Perry:

This month is heavy.

Michelle Madoff:

Well, I think the litter situation is one that is serious enough that we ought to do it. . . I don't mind waiting on my issue until after the election, it is not imperative, its waited 20 years, I don't think another two weeks will make any difference.

Mr. Stone:

Allright, that is one off, as far as litter, that is coming up on legislation, we can catch that when the legislation comes up.

Michelle Madoff:

Well, there is a hearing requested by the Squirrel Hill Coalition on exactly that subject and I thought we had decided. . . Mr. Robinson raised the issue that we ought to have a public hearing and involve all the groups as opposed to just the Squirrel Hill.

Mr. Stone:

If I read the minutes correctly, it is coming up when we have the legislation come in and he has agreed.

Michelle Madoff:

When would that be?

Mr. Stone:

The legislation is being composed by the Mayor, that is these different items that he wants to do and then we will cover the whole thing.

Michelle Madoff:

But that's part of the City Code and he can't come up with a City Code, because I asked about that. I asked the Law Department because I wanted to submit an amendment to that and they told me no.

Mr. Stone:

I cannot vouch for what you said or what the Law Department told you, all I can tell you is that as far as that portion is concerned, the matter of litter is to come from the Mayor, Mr. Robinson indicated that the discussion would come up and we would open the whole thing on this matter of litter and dumping at the same time.

Michelle Madoff:

May I respectfully request Mike, that a letter to go the, a memo to the Mayor asking if indeed he is planning to introduce that separately because I double checked that specifically and was told by Mead Mulvihill and the Law Department. . . not Mead, Dan Pellegrini, that it was going to be part of the Ordinance. It would come up at that time because I put in an Ordinance and he sent it back to me saying he didn't want to deal with it as part of the new City Code.

Mr. Givens:

Mr. President, in regards again, to emphasize my particular point on the Post Agenda Wednesday, it doesn't necessarily tie in with the legislation that you know, imposing different fines, etc., on it, I know that is coming along. . . I'm looking at the actual pick-up itself and how it is going to be done and how we are going to coordinate this and I have some input that I'd like to give to the Directors at this particular time.

Mr. Stone moved to approve the minutes of Monday, April 2, 1979 and Monday, April 9, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, April 23, 1979

No. 17

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, April 23, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3078 Resolution transferring the sum of \$2,000.00 from Code Account No. 42, Coun-

cil's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also

No. 3079 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Greater North Side Athletic Association for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof.

Which was read and referred to the Committee on Parks and Recreation.

Also

No. 3080 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commission on Crime and Delinquency for a grant in connection with Emergency Street Phone Network Project Phase II; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Emergency Street Phone Network Project, Phase II; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3081 Resolution further amending Resolution No. 1249, effective November 3, 1978, as amended by Resolution No. 1522, effective December 31, 1978, entitled "A Resolution providing for a Contract or Contracts for the replacement of the Herron Avenue Bridge, PW 78-13; and providing for the payment of costs thereof", by including a provision for decreasing the maximum authorized amount from \$2,247,000.00 to \$2,158,229.80; and providing for the payment of costs thereof.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3082 Resolution vacating Walker Street from Wolfendale Street to a point 128.09 feet southwardly and the northerly 8-foot portion of Boyce Street from Sproat Way to the easterly line of Walker Street in the Twenty-First Ward of the City of Pittsburgh, excepting and reserving an easement for the 6-inch waterline and the 36-inch sewer line located in Walker Street.

Also

No. 3083 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$66,000.00 for extra work in connection with "B" Program-Rehabilitation of various Streets, Controller's Contract Nos. 23104 and 23104-F.

Also

No. 3084 Communications from John E. Ruff, Director, Department of Public Works, requesting permission for Brother Richard Emenecker to attend National Cable Television Association Convention, Las Vegas, Nevada, May 20-23, 1979, at cost not to exceed \$780.00, payable from Code Account 1661, Miscellaneous Services, Department of Public Works.

Also

No. 3085 Communication from John E. Ruff, Director, Department of Public Works, requesting permission to attend U.S. Conference of Mayors business meeting, Washington, D.C., May 3, 1979, at cost not to exceed \$120.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3086 An Ordinance directing the Department of Lands and Buildings to conduct vacant lot cleanup drives twice a year, in the Spring and Fall.

Which was read and referred to the Committee on Lands and Buildings.

Also

No. 3087 Resolution authorizing a contract or contracts with Carnegie-Mellon University to conduct a study of labor demand and supply within the construction industry in the City of Pittsburgh.

Also

No. 3088 Communication from Robert Lurcott, Director, City Planning, requesting reimbursement of \$55.00 for registration fees for Evan Stoddard in connection with attendance at 1979 URBECON Conference, Chatham Center, April 10-11, 1979, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also

No. 3089 Communication from Edward DeLuca, Director, Department of City Development requesting permission for Rollo Turner to attend Penn's Southwest Association Business Relocation Survey, New York City, June 3-8, 1979, at cost not to exceed \$530.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3090 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3091 Resolution providing for a contract or contracts for the rehabilitation of water tanks and providing for the payment of the cost thereof.

Also

No. 3092 Resolution providing for an agreement with the Municipal Authority of the Borough of West View Water Department, West View Borough, providing for the installation of a 12" water line and appurtenances, together with the 12" gate valve and a meter connected to the City of Pittsburgh's 12" water main at West Carson Street near Stanhope Street, 20th Ward.

Also

No. 3093 Communication from John C. Miller, Director, Department of Water, requesting permission to attend hearings on Water Supply and Distribution Needs, Philadelphia, Pa. April 27, 1979, at cost not to exceed \$175.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Also

No. 3094 Petition from the Department of Water CETA employees requesting a hearing in regards to CETA jobs which are soon to be terminated as the CETA program comes to an end.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3095 Resolution authorizing the Issuance and Payment of a Semi-Final

Estimate to Domino, Incorporated, in conjunction with the Construction of the Frick Park Nature Center, Controller's No. 22794, and reducing the retained percentage from Ten (10%) Percent to One (1%) Percent.

Which was read and referred to the Committee on Finance.

Also

No. 3096 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with a Cable Communications System for the City of Pittsburgh, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Robinson presented

No. 3097 Resolution requesting a performance audit on the City of Pittsburgh's Animal Control Program, Dog Court and Contractual Relations with the Animal League.

Which was read and referred to the Committee on Public Works.

Also

No. 3098 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of six Two Wheel Tractors for the Department of Parks and Recreation, and for the payment thereof.

Also

No. 3099 Resolution requesting performance audits on the Department of Supplies, and other City of Pittsburgh Departments.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3100 Resolution providing for an Agreement or Agreements with Allegheny West Civic Council, Arts & Crafts Center of

Pittsburgh, Bethesda Center, Inc., Boys' Club of Western Pennsylvania, Brashear Association, Carnegie Institute, Carnegie-Mellon Child Care Center, Community Action Pittsburgh, Inc., Consumer Cooperative of Pittsburgh, Inc., East Allegheny Community Council, East End Cooperative Ministry, Ernest T. Williams Jr. Memorial Center, Jewish Family and Children's Service, Manchester Craftsmen's Guild, The Mattress Factory, Ltd., Metropolitan Pittsburgh Public Broadcasting, Inc., National Council of Jewish Women-Pittsburgh Section, Neighborhood Centers Association, Nineteen, Inc., Northside Civic Development Center, Three Rivers Youth, Inc., Transitional Services, Inc., Urban League of Pittsburgh, Inc., Vintage, Inc., and Vocational Rehabilitation Center of Allegheny County, Inc. for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3101 Resolution providing for the issuance of a warrant in favor of Pc Laboratory in the aggregate amount of \$501.00 for professional services rendered for the benefit of the City in connection with physical examinations administered to Police Officer and Fire Fighter applicants without previous authority of law.

Also

No. 3102 Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$12,650.00 from CETA Trust Fund, federal funds, to Communiy

Economic Development Program Trust Fund, CEDP-TF to pay a portion of costs of a study designed to determine the demand and supply of skilled construction craftsmen in the Pittsburgh area.

Also

No. 3103 Resolution providing for an Agreement or Agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Also

No. 3104 Communication from Melanie J. Smith, Director, Department Personnel and Civil Service Commission, requesting permission for Heladia Nardi, to attend CETA Training Session, Morgantown, West Virginia, April 25-27, 1979, at cost not to exceed \$300.00, payable from CETA Trust Fund, federal funds.

Also

No. 3105 Communication from Melanie J. Smith, Director, Department Personnel and Civil Service Commission, requesting permission for Mary Keegan and Janice Strong to attend Employment Opportunities Pilot Program Conference, Washington, D.C. April 23-24, 1979, at cost not to exceed \$500.00, payable from CETA EOPP Trust Fund, federal funds.

Also

No. 3106 Communication from Melanie J. Smith, Director, Department Personnel and Civil Service Commission, requesting permission for Gladys Russell and other members of Department of Personnel staff listed therein to attend Employment Opportunities Pilot Program Conference, Washington, D.C. May 3-4, 1979, at cost not to exceed \$1,000.00, payable from CETA EOPP Trust Fund, federal funds.

Also

No. 3107 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting permission for

Messrs. Lewis and Gabriel, to attend EEOC Conference, Philadelphia, Pa. April 29-May 1, 1979 at no cost to the City of Pittsburgh.

Also

No. 3108 Communication from John E. McGrady, City Controller submitting performance audit on the revenue intake and accounting systems of the City Treasurer's Office.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3109 Report of the Committee on Finance for April 18, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3019

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Independent Enterprises, Incorporated in the amount of Seven Thousand Ninety Four Dollars and Fifty-Three Cents (\$7,094.53) in payment for "Extra Work" in connection with the construction of a public sewer on Yankee Road and Mifflin Road, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3036

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Keystone GMC Truck Company, 1414 Montier Street, Wilkinsburg, Pa. 15221 in the amount of \$672.73 in payment for the repair of two generators furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3042

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,192.01 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1971 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3043

A Resolution entitled, "Resolution transferring the unencumbered balance of \$20,250.00 to close the Salvor Reimbursement Revolving Trust Fund, Special Trust Fund #1, Equibank, N.A."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 **Noes** None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3110 Report of the Committee on Public Works for April 18, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3020

A Resolution entitled, "Resolution repealing Resolution No. 160, approved February 28, 1979, effective March 5, 1979, entitled 'A Resolution providing for a Contract/s or the use of an existing Contract/s for the purchase of Traffic Signal Equipment for the Department of Public Works, Traffic Control Division, and providing for the payment thereof'."

Which was read.

Also,

Bill No. 3021

A Resolution entitled, "Resolution repealing Resolution No. 401, effective June 17, 1976, entitled 'Providing for the letting of a Contract or Contracts for the furnishing,

delivery and installation of equipment (Motor Truck Pit Scale) for the Department of Public Works and for the payment thereof'."

Which was read.

Also,

Bill No. 3022

A Resolution entitled, "Resolution further amending Resolution No. 1288, approved November 17, 1978, effective November 24, 1978, as amended by Resolution No. 18, approved January 17, 1979, effective January 19, 1979, entitled: 'Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Traffic Planning and Engineering Services in connection with improvements in the East Liberty Mall area, and providing for the payment of cost thereof', by increasing the total allocation to Forty Thousand (\$40,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills passed finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 **Noes** None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3111 Report of the Committee on Planning, Housing and Development for tions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3024

A Resolution entitled, "Resolution providing for a Supplemental Agreement with the Urban League of Pittsburgh, Inc., for housing counseling and housing information services, extending the term of the Agreement through May 31, 1979."

Which was read.

Mr. Givens:

Mr. President, I move to amend Bill No. 3024 by adding in the Resolution "amending Resolution No. 526 of 1978, as amended by Resolution No. 1161 of 1978".

Mr. Clerk, exactly what does that mean?

Mr. Perry:

That just means that they omitted the amending of two bills in that resolution and you have to show it.

Mr. Givens:

Thank you.

Mr. Stone:

That is for reference.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the amendment?

And on the question, "Shall the bill pass finally as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative the bill passed finally as amended.

Also,

Bill No. 3025

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ronald E. Holmes and Deborah Holmes for the sale of Parcel 114 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3026

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allen Finley III and Buehlah Finley for the sale of Block 174F Lot 1 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3027

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by Land by and between the Urban Redevelopment Authority of Pittsburgh and Henry Thomas III for the sale of Block 22P Lot 308 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3028

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William E. Brewton and Marlena L. Brewton for the sale of Block 22R Lot 215 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3029

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marlene Jones for the sale of Block 22P Lot 311 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3030

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Shirley L. Musselwhite for the sale of Block 22F Lot 237 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3031

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Development Authority of Pittsburgh and Joseph A. Shaw for the sale of Block 22 K Lot 103 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Aves	9	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3112 Report of the Committee on Lands and Buildings for April 18, 1979 transmitting sundray resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2992

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3032

A Resolution entitled, "Resolution authorizing the Director of the Department of Lands and Buildings, on behalf of the City of Pittsburgh, to execute the necessary documents adopting a plan of lots in subdivision, as Agent of the Three Taxing Bodies' under the subdivision laws of the Commonwealth of Penna. and the City of Pittsburgh."

Which was read.

Also,

Bill No. 3033

Resolution repealing Resolution No. 959, approved 10/5/77 which authorized the sale of a of a 2 story brick house on 514 Knoll Street Block 23-H, Lot 154, to Linda J. Rouda Waxter, for the sum of \$850.00. Reason for repealing is structure has deteriorated that posting for condemnation was necessary. Hand money of \$425.00 will be returned.

Which was read.

Also,

Bill No. 3034

Resolution repealing Resolution No. 690, approved 8/1/77 which authorized the sale of property in the 17th Ward vacant lots on Windom Street, Block 3-K, Lots 194-195 to Thomas W. Brown for \$750.00. Hand money of \$100.00 to be forfeited as purchaser has failed to comply with agreement of sale."

Which was read.

Also,

Bill No. 3035

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

Bill No. 3113 WHEREAS, the University of Pittsburgh, Department of Black Community, Education, Research and Development, will host the Eleventh (11th) Annual Conference of the African Heritage Studies Association on April 28th through the 29th, 1979; and

WHEREAS, more than ninety (90) Afro-American scholars, representing the Nation's progressive Black thought and social comment will meet to explore the Conference theme. "The New Generation and the Future of the African World; and

WHEREAS, the African Heritage Association, founded in 1968, is dedicated to the preservation, interpretation, and academic presentation of the historical and cultural heritage of African peoples in Africa and through the world.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh, on behalf of its citizens, does honor and recognize the Eleventh (11th) Annual Conference of the African Heritage Studies Association.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr President, I would like to ask Council to allow Dr. Barbara Sizemore, nationally known educator who is at the University of Pittsburgh now, to come forward and accept this gold seal resolution.

Dr. Sizemore:

On behalf of the African Heritage Studies Association, the offices and the Board of Directors and the more than 500 members, I would like to thank you very much for this proclamation and I hope that you will find yourself able to come to the Conference on April 26th to the 29th at the University of Pittsburgh. Thank you very much.

Also,

Bill No. 3114 WHEREAS, The Young Women's Christian Association is an autonomous multi-racial membership organization in the forefront of services for individual development for women and girls; and

WHEREAS, the organization provides a place where women and girls work in partnership on crucial issues, such as career development, quality education, health issues, legal rights of women, juvenile justice, which affect their lives; and

WHEREAS, the YWCA provides all women and girls of diverse racial, ethnic, cultural, religious and economic backgrounds, opportunities to realize their individual potential and become contributing citizens to their community, the nation and the world.

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh do hereby observe the week of April 22-28, 1979 as National YWCA week and call on the citizens of our community to join in tribute to this international organization, which today is working not only here, but

also in more than eight (80) countries to meet the needs of women and girls.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Robinson:

I would like to have Miss Margaret Tyn-dall and Miss LaVera Brown come forward, and also I would like to mention that the Mayor has asked Dr. Simms of his staff to come over and issue the proclamation.

The Chair:

Dr. Simms, ladies, if you please.

Miss Brown:

On behalf of the YWCA of Greater Pittsburgh I want to thank the City Council and the Mayor for acknowledging us this week. for 112 years the YWCA has been involved in the pulse of our City, from the industrial revolution to non-traditional jobs for women. We are very grateful that you have acknowledged the work that we are trying to do. Thank you very much.

The Chair:

I just have one question to ask you girls, are men allowed in the YWCA?

Miss Brown:

Absolutely.

The Chair:

When is the next meeting? Seriously, congratulations and thank you, all of you for coming.

Michelle Madoff:

I would like to share a letter that I received this week with the Members of

Council. It is from a man by the name of Chester Degenkolb, I have extra copies for those who would like to have it. He writes:

"A few years ago I wrote a letter to the Editor of the Pittsburgh Press and I said in the letter that there must be tons of loose stone cornices hanging above the streets of Pittsburgh, some of it for 100 years. I said that every building downtown should be checked before someone is killed.

The other day, Saturday, a one foot section of stone cornices weighing 50 pounds fell 17 stories on to a downtown sidewalk. A City Building Inspector said he didn't think any more of the cornice would fall. The second stone has fallen and now the remaining cornice is to be inspected.

Do we have to wait until several people are killed before all the buildings in downtown, North Side, East Liberty, etc., are inspected?"

I'm not going to read the entire letter, but I think the man has a very good point, he goes on to say in the letter that he is an old construction man who has spent over 40 years in the construction business and he also has great concern over how many church steeples might be near falling.

I think it is something that Council ought to address itself to and I think it would be appropriate that we have somebody here who can address us at one of the meetings, a Post Agenda item, to tell us what is happening with the inspection of other cornices and steeples so that we can prevent a tragedy from happening.

The Chair:

Mr. Perry, if you will do that please.

Michelle Madoff:

Another item that I would like clarification on, I had asked Mr. Perry whether he would re-introduce a resolution

that was defeated in Council. I think it was an inappropriate time, or the time that I had addressed it we had not had the flack and the response from the public concerning the litter problem and the resolution pertained to the involvement of fast food chains and supplying us with litter cans. We had been told by Jack Ruff that there were litter cans around and there would be a problem in putting the same cans in front of the same fast food place.

In checking, I found that not to be true, I found that Mr. Ruff, under questioning in Council a couple of weeks ago, stated that there weren't enough cans.

All of us know that we have heard from many communities who are really concerned about the problem. It appears that what Mr. Ruff has said, we just don't have the dollars to do what has to be done ourselves, and I wanted to re-activate that ordinance in light of the pressures and interest from the community.

I was told that I could not re-activate a defeated ordinance. I'm just wondering how do we re-activate something of concern to everyone, if that is the procedure? Could someone give me some clarification on that Mr. President?

The Chair:

Does anyone care to answer?

Michelle Madoff:

Well I would assume that you would answer as President of Council.

The Chair:

Why don't you re-enter it in this Wednesday's meeting?

Michelle Madoff:

Well, I tried to give it today to Mr. Perry and he said I couldn't re-introduce it because it had failed.

The people are just getting a little tired. . . I get 50 letters a week on this.

The Chair:

Can we re-introduce this resolution?

Parliamentarian:

If the bill was defeated it cannot be re-introduced until the next session of Council.

Mr. Stone:

Correct.

Michelle Madoff:

What do you mean by the next session, do you mean after next year? After 1980?

Parliamentarian:

When the body is re-formed.

The Chair:

Which will be January, 1980.

Michelle Madoff:

So, you mean that if something is important and the people want it and it gets voted down you can't re-introduce it, if the pressures . . . and we are having public hearings on the subject of litter? You mean even though it is good and the people want it, we can't re-consider it, is that correct?

Mr. Lally:

He's telling you the law, Michelle.

Michelle Madoff:

I know what he is telling me, I just want to know how I get around it, I don't want to know how I can't do it, I want to know how I can do it.

Mr. Givens:

Michelle, you are right, as far as anti-littering, the Mayor's Office to my knowledge is working on a total City-wide plan that the Mayor will eventually disclose when he knows if and when the plan will work. They are trying sample neighborhoods, from what I've been told and if you

can recall last week, I asked a particular group to come in, the Department of Environmental Services, etc., to discuss this particular problem. It is a very serious problem and one that when people come into the City, as any city, but I mean, if you travel the country over, you can see some cities have a definite pride in their particular downtown as well as their neighborhood communities and this is something that we must initiate upon all the people, but it comes from the community itself. And, the fast food chains, as you pointed out, is an entity in itself. It is always a block and a half to two blocks away before the people discharge their sandwich wrappings papers, etc., and the must. . .

Michelle Madoff:

That's not the issue, I think we all agree and I don't think there is anybody in disagreement on Council, that we'd better clean up our City if we're building a Convention Center and this Mr. Stanford of the Golden Triangle Association, the President of the Association, from Gimbels stated at the meeting of the Golden Triangle, their annual meeting, that if we don't clean up the City that it will look like a garbage heap and people won't want to come here to the Convention Center.

The point that I am trying to make is not that we don't agree that we ought to clean up and we are all aware that there is going to be a new Ordinance on litter and there are going to be some programs, including the one that I suggested to have a vacuum cleaner as they have in Squirrel Hill where the store owners chip in to pay for the cleaning and the fact that I had already met, seven months ago, with the Golden Triangle and the Allegheny Conference and the Chamber of Commerce and there was a program under way that was picked up by the Mayor and he ran with it. That's fine, but what I'm talking about now is that I introduced an Ordinance wherein the fast food chain operators, as they are doing in the Boston area, and they have, their containers, right in the Boston Commons, on the corners . . . and we, as Members of Council and the City would have the discretionary powers to either approve or disapprove what is on the can. For example, the litter can could say, "MacDonalds says

Pittsburgh is someplace special — keep it clean”, or Wendy’s says, We love Pittsburgh—keep it clean”, and the art work or whatever, would be at the discretion of the Members of Council and our appointees, so that we would not see a lot of advertising and the kind of thing you see during elections and all the street signs.

But, the fact remains that I was mislead, I was told that if we had a can in front of Wendys and when it was picked up and put back in front of MacDonalds that wouldn’t work. Well, the fact remains the can inside is the only thing that is moved, the outside cover is never moved. Except perhaps to be repaired once or twice every three years and at that point they could make a special effort to put it back.

I was told that we had all kinds of litter cans, it turns out now that Mr. Ruff said we do not have them. Do we want to tax the breath out of the public or do we want to be innovative? Now, it was defeated, I think it was defeated frankly, on a personality level, I think we should be above that, I think all of us have been approached by our residents and our constituents on the South Side, Squirrel Hill, Lawrenceville, it is a very serious matter, we don’t want to raise taxes. . . for God’s sake, if we can get the fast food vendors who are willing to: a. put out the cans, subject to our approval; and b. get involved in helping us clean it up, what right do we have as Councilmembers to not proceed in that direction?

And, I don’t want to hear from the Legal Department that you can’t introduce it because the bill was voted down. . . are you telling me if I re-word it and write the words differently I can re-introduce it? I want to know how I can get it back on the agenda. Could I have an answer to that sir?

Parliamentarian:

I am the Parliamentarian ma’am, I cannot render legal opinions.

Michelle Madoff:

On a parliamentary ruling, can it be re-worded and be re-submitted?

The Chair:

I’m totally confused. . . Mr. Givens you have said, and I recall sitting at the hearing, that the Mayor’s Office Administration is about to attack the litter problem, about to correct the situation that Mrs. Madoff said exists?

Mr. Givens:

Well, the Mayor is working on the complete anti-littering ordinance.

The Chair:

Well, then I ask, what is the purpose of us passing another ordinance or resolution?

Mr. Stone:

No. I think we ought to take things in their proper perspective. Michelle asked can she put it in again, and the Parliamentarian has indicated by the rules of Council in this City you can’t. I think that issue is done. You can’t introduce it again, he has answered that.

The second question is, how it could come up again, and I think Mr. Givens has indicated that it is going to be coming up by the time we get into the litter matter, and I think that opens the door, it ought to be at that time for discussion, but I think the issue has been answered, once a subject is defeated in Council, so that you don’t have a multiplicity of attempts there has to be some rules of procedures and that is what the Parliamentarian has indicated and that is not what anyone in Council, with or without personal, the choice has, but rather that is rules and regulations under which you operate the Democratic society.

The Chair:

Mr. Stone, litter around the fast food outlets has always been a problem and there should be a better method of collection, but the problem is even more widespread than that, its really one that you can’t do a thing about and I don’t care how many ordinance you pass.

I recall Gershon Street being cleaned 50, 100 times in the last six or seven years, under

the Panther Hollow Bridge, cleaned that out 60 - 70 times and the next day somebody comes down with a truck and dumps old mattresses, old tires. . . as long as you have 5% or 10% of the public who really don't care and the other poor 90% has to put up with them, you are going to have it, you are going to have it till the end of time unless you station somebody at every one of those spots and try to catch everybody that goes down there because they do it the day after its cleaned out they are back down there again.

Mr. Stone:

Mr. President, that is the reason, this is the third time I spoke on this. . .

The Chair:

You could make it a \$1,000.00 fine, but if you just don't catch anybody, if you don't enforce it, what good is it? We don't have that many people.

Mr. Stone:

Our problem in the past has always been that we always do things piecemeal. I think this is the kind of subject that has been plaguing the City, the only way that is can be handled properly is to get this legislation and see where that legislation will take us for the overall best interest of the City of Pittsburgh, I think that makes more sense.

Because, we attack it, then, and only from what it does to one particular area, and the other 95% obviously doesn't care, but if it becomes something that affects us all then we tend to be a little more concerned.

Michelle Madoff:

Mr. President, I understand the parliamentary aspects of this, however, I have had the privilege of looking at the basic ordinance in its draft form and I think it is pretty well finished, it addresses the items, and as a matter of fact, you were at that luncheon, it touches on having enforcement of existing ordinances, particularly to businesses where the Golden Triangle Association has stated that they would be willing to go into a store and say, "all right, I'm here with whoever is authorized to give you a citation and I'm here to say that I will

support the City", this is the Golden Triangle. . . "the next time you are cited you are going to pay a hefty fine" and we're not just going to brush this aside. That is taken care of, the thought of having, or the concept of having a vacuum cleaner that the City is thinking about paying for half of and the storekeepers paying the other half, to be on the streets is also in the ordinance. And, I believe the whole process of the hours, the scheduling is going to be entirely changed. . they are going to have people out cleaning when it is visible, not at night when they don't see the cleaners, to inspire people, to see it being cleaned.

The other day I was down at Heinz Hall in that area, and they were cleaning, as they were cleaning, the gutters were horrible, what we really need is somebody payed for perhaps, by the storekeepers on a sharing basis with the City where they would go along with a little broom and keep constantly cleaning up because you are absolutely right, unless someone is there to actually catch them, or they see it constantly ongoing, it is hard to change the way people behave, their behavior patterns.

However, the thing that is not in this new ordinance, it isn't touched in the ordinance, is the fact that we don't have more litter cans and who will pay for them and involving the fast food chains, and they already indicated to me that they are very willing to involve themselves and that is a source of revenue, it is a way of getting everybody involved and I think it is a disgrace that we no way of bringing that up until next year.

The Chair:

You referred to the City of Boston, did the fast food chains there contribute towards the cost?

Michelle Madoff:

Yes, Mr. President, the conversations I had were with Wendys, I can't recall, it goes back some time now, there were three different ones and I have their names in the office. They were interested in discussing with the City the prospect of putting up a litter can that we would have the final work on what it would say so that it wouldn't be cheap

looking of offensive to the City or in any way detract from the City. It would say, as I said, "Wendys' says Pittsburgh is beautiful - keep it that way" and the locations would be decided by the City and their names would be advertized in exchange. . .they will pay for the can its a quid pro, quo, its a trade-off, so we don't have to go into our own pockets and pay for it. And then the next step is to say, hey, this is working great, but we don't have the pick up often enough, is only once or twice a day, and you know yourself sir, that if you are standing out in front of a Pizza Parlor on Saturday night, or Saturday at 7:00 and the kids go and buy the pizza what happens, within one hour that can is filled and it is not picked up for three more days and the litter just hangs over the side onto the street when they see the dirt they just add to it. Then we would involve them in helping to pay for the clean up because it helps them, we are going to somehow have some assessment or some fine to help pay for this cleaning. We are not a bottomless pit, with out utility bills going the way they are and other problems we have and I appeal to the Members of Council to try to support this concept.

Mr. Stone:

Mr. President, I don't think we ought to have hearings until we have hearings. . .the question originally was a narrow issue, whether or not that could be brought up again, the parliamentarian has answered that.

I received some calls from the Golden Triangle Association relative to this litter ordinance, and when the public hearing comes up, we will give benefit too all Councilmembers of the information I have received.

I don't think we ought to have public hearings until we have public hearings. Discussing a matter, you get an issue resolved, but to go into all the details of it, I think, doesn't help anyone because you can't make a decision right at the moment anyhow, I think we ought to, at that time, discuss the matter that the Mayor is going to propose, it has some input already from the Golden Triangle Association and I'm sure it will have the input of nine other individuals,

namely Members of this Council, but again, it ought to be at the right time so that we handle the whole subject and all of its ramifications as what might again, be in the best interests of the City of Pittsburgh.

Mr. Lally:

Mr. President, I just want to point out that there are street sweepers every day and every night in downtown Pittsburgh with their brooms and this is at night, you can see sweepers going along the streets sweeping along the curbs and during the daytime also.

Mr. Givens:

I just have one item which some of the other Councilmembers are interested in it, Mr. Bulls and Mr. Lally and others, it is a Post Agenda item, that is on Fire House #32 which is under construction. . .if we could have this directed to Councilman Bulls' Public Safety Committee. This is a carryover from when I was on that particular Committee. . .they were to build the new Engine House #32, that is the downtown one, now they are removing the 14th Street. .

The Chair:

Apparently they are not building according to specifications, you want a Post Agenda on that and bring the proper authorities in?

Mr. Givens:

That's right.

We came to certain agreements back about 18 months ago as to the type and size of this particular station and now we find, when they have started pouring the foundations, etc., that the agreement to which was reached is not being complied with and if we could have Director West of Lands and Buildings, and Chief Kennelly, the contractors or the architectural firm to come in.

The Chair:

We will have all the proper parties in. . .

Mr. Lally:

Mr. President, I would also like to speak to Director West when he comes in regards to the slide over in North Side. . .

The Chair:

I was going to say, Jim, I don't know if you were over there, I was over there Sunday. . .

Mr. Lally:

Yes, I was over there myself.

The Chair:

Its a very serious situation, four homes have been rendered useless, they are going to have to tear those homes down, those people in the meantime are living with other relatives and they are finding it rather difficult. The City started to do something over there and then told the people it wasn't their fault and they are blaming it on the person or the firm up above, I believe it is called Pittsburgh Stamp. . .so, in that respect, I think Mr. West should come in, Director Ruff and also Mead Mulvihill who has given a quick legal opinion that the City is not responsible. Apparently it is the responsibility, I believe, of Pittsburgh Stamp and the City. I'm not going to get into this because no doubt, there is litigation, other than we want to find out why something cant be done for those people right now. . .emergency measures. This happened one other time if I recall, in the County where they made an parklet or a tot lot out of it and compensated the people rather well so they could move because there was no way of them going back. Just like these homes, they will never be able to occupy them again, they'll never be able to fix them up properly.

Mr. Lally:

Just so we don't get a heavy rainstorm in the next day or two.

The Chair:

Or, you are going to get it down below and those other people are going to get it too. That is the part I wondered about, why they

stopped, they should have tried to get more of it out of there before we do get a heavy rain.

Mr. Lally:

I don't know where we are going to get the money but we will have to find it somewhere.

Mr. Givens:

Mr. President, along with that particular one, we still have some people down in Hazelwood that our Law Department again, came up with the same. . .that it is an act of nature and we have some homes, beautiful homes over in the Hazelwood area of Pittsburgh that are still in very serious condition. . .

The Chair:

Dick, I'm not saying that the City was right or wrong, its a different matter entirely, this is where a hillside completely gave way because probably poor backfilling. This is where it could have killed somebody. The one house is caved in completely.

Mr. Stone:

We are going to discuss that on Wednesday, right?

The Chair:

That is correct.

Michelle Madoff:

Mr. President, in the early days when I came to Council about a year ago, I had asked whether the Council President would appoint a Energy Committee made up of a couple Members of Council and other people that we thought would be interested in helping us and I don't really know what the decision was or what happened, but if memory serves me well, I think we were told that the Mayor had an Energy Committee, I looked into it and found that this Energy Committee is one person and that. . .

The Chair:

If the Committee is only one person they couldn't have had very many meetings. . .

Michelle Madoff:

Right, and you know what I am saying. . .and in light of what's happened at Three Mile Island and the fact that Con-Ed is threatening to go bankrupt and put the burden of the cost onto the citizens, and unfortunately, because they all belong to the various grids, you know, the Capital pools and so on, ultimately, it affects all of us, not just the people in the immediate area, if affects the Pittsburgh residents.

I think the time has come that some good ideas could be promulgated and some thoughts come out of an Energy Commission and I think that it would behoove us as Members of City Council to spearhead that kind of activity and I would humbly and respectfully request that the President of Council appoint a Committee and I would very much like to serve on that Committee.

The Chair:

Michelle Madoff, in that respect, Mr. Lally and I have talked to the Mayor on several occasions about a report, and he means well, but apparently, Jack Robin who is the Chairman, can't come up with a report.

I think it is appropriate that Mr. Robin be called in to a meeting and give us an update on that Committee and if it doesn't exist anymore I'd be more than glad to appoint a Committee. After all, it was the prerogative of Mayor Caliguiri when he was President of Council to do that and I can do the same thing, but at the same time I think we ought to hear Mr. Robin one more time to find out just where we are with that Committee.

Mr. Lally:

That's right.

Michelle Madoff:

That would be fine with me and then may we respectfully request that Mr. Robin be

asked to come before Council either at a Post Agenda meeting either in the near future, as soon as it is convenient to everyone, or after a meeting, because we are having a lot of zoning meetings.

I might add with that, when you are working with volunteers and you are paying out of your own staff funds, it takes a long time to get things done, but I would like to say that our Solid Waste Report is in its final typing, Mr. Perry, is it almost done?

Mr. Perry:

That is correct.

Michelle Madoff:

Each Member of Council will have a copy and I hope that you will take the time to read it, it took us a year to get it all put together and we would welcome any thoughts you might have on it. If it has nothing excitingly new, at least you can keep it as sort of a summary or sort of a bible of what is going on in the community and I would hope that any thoughts that you might have would be contributed and we'll add it on.

Mr. Lally:

Mr. President, one more thing, I would like to commend Mr. DeLuca and also the Mayor's Office for the quick action that handled the A&P closings. We now have three A&P Stores going to be taken over in the City of Pittsburgh. The only three that we have and they are all going to be taken over. Giant Eagle has taken. . .

The Chair:

Mr. Lally, there is some talk about the butchers of the A&P suing to prevent a takeover by another firm?

Mr. Lally:

Right, but the stores have been taken over by another chain and I think that Mr. DeLuca and the Mayor's Office has done a very good job in this particular case, I'm glad it was initiated by Council.

Michelle Madoff:

I don't know whether it was Sunday's paper, but I think it was in this morning's Post Gazette, there was an article referring to a study that was done on the jobs that would be generated in this northeastern area, in the Pittsburgh area with reference to going into solar energy in the field, and I wondered if the City Clerk would find out where that report came from and send for copies for all of us I think it would be very worthwhile having.

Mr. Stone moved to approve the minutes of Monday, April 16, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. President, before you move to adjourn, since this week has been designated as the "Days of Remembrance for the Victims of the Holocaust" I would like to adjourn this meeting with a moment of silent prayer for these victims.

The Chair:

Would everyone stand please for a moment of silent prayer.

MOMENT OF SILENCE

And on the motion of Mrs. Masloff

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, April 30, 1979

No. 18

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. MCCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, April 30, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3115 Resolution providing for the issuance of a warrant in favor of Parkway Service Station, 910 W. Saw Mill Run Boulevard, Pittsburgh, Pennsylvania 15220,

in the amount of \$1,423.50, in payment for emergency tire and chain services furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3116 Resolution providing for an agreement with the Pittsburgh Neighborhood Alliance for the implementation of a program entitled: "Communities Combatting Crime", in certain Community Development Block Grant areas within the City of Pittsburgh.

Also

No. 3117 Petition from residents at Auburn Towers, Pittsburgh, 15206 requesting a hearing with City Council to discuss adequate security for Auburn Towers.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3118 Resolution providing for the issuance of warrants in favor of the following members of the Department of Public Works for financial replacement of items stolen from City premises and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 3119 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet

No. 7 by changing from "C5-C" Golden Triangle District "C" to "C5-A" Golden Triangle District "A" all that certain property bounded by: the Boulevard of the Allies; Chancery Lane; Third Avenue; Lots Numbered 114 and 93, Block 1-H in the Allegheny County Block and Lot System, 1st Ward.

Also

No. 3120 Resolution approving the Market Square Redevelopment Proposal, dated April, 1979, including the Redevelopment Area Plan, for redevelopment activities in a portion of Redevelopment Area No. 44, in portions of the First and Second Wards of the City of Pittsburgh.

Also

No. 3121 Resolution authorizing the Mayor, the Director of the Department of City Planning, the Director of the Department of Public Works, the Director of the Department of Water, and the Director of the Department of Lands and Buildings, for an on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the redevelopment of the Market Square Redevelopment Project, being a portion of Redevelopment Area No. 44, located in portions of the First and Second Wards of the City of Pittsburgh, providing for the vacation of certain streets and alleys in said area, the construction or reconstruction of certain streets, water lines and sewers, the conveyance of all the City's right, title and interest in and to said vacated streets to the Urban Redevelopment Authority of Pittsburgh, the dedication and rededication of certain streets, the making of certain payments by the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh, and providing for non-discrimination in the use of public facilities and setting forth the terms of the Agreement.

Also

No. 3122 Resolution approving a contract by and between the Urban Redevelopment Authority of Pittsburgh and PPG Industries, Inc. providing for the funding of the project execution costs of the Market Square Redevelopment Proposal for a portion of

Redevelopment Area No. 44 and also providing for the sale of Parcels A-1, A-2, B-1, B-2, B-3, C-1, C-2, D, E, F-1, F-2 and G in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44.

Also

No. 3123 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the American National Red Cross for the sale of Parcel H-2 in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44.

Also

No. 3124 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and R.T. Patterson Company, Inc. for the sale of Parcel H-1 in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 3125 Resolution providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc., 276 Ringold Avenue, Pittsburgh, Pa. 15205, in the amount of \$66,875.00 in payment for demolition of buildings located at 1102 Chestnut Street, Rear 1102 Chestnut Street and 922-24-26-28-30-32 Spring Garden Avenue, furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee of Finance.

Also

No. 3126 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1979 Community Development Block Grant Program, and providing for the payment of the cost thereof.

Also

No. 3127 Communication from Paul C. Brophy, Director of Housing, requesting permission for Mary Reilly, to attend Mid Atlantic Regional Conference of NAHRO Workshop on Housing Programs, Washington, D.C. May 6-8, 1979, at cost not to exceed \$400.00, payable from 1978 Community Development Block Grant Trust Fund, Department of Housing.

Also

No. 3128 Communication from Paul C. Brophy, Director of Housing, requesting reimbursement of \$125.00 for travel expense in connection with attendance at meeting with Savings and Loan League Officials to discuss tax exempt bond issues for Housing, Harrisburg, Pa. April 17, 1979, payable from 1978 Community Development Block Grant Trust Fund.

Also

No. 3129 Communication from Paul C. Brophy, Director of Housing, requesting reimbursement to Rachel Meyers, for attendance at Institute of Real Estate Management Conference, April 4, 1979, cost not to exceed \$15.00 payable from 1978 Community Development Block Grant Trust Fund CDHD (HD-78-13).

Which were severally read and referred to the Committee on Planning.

Mr. Lally presented

No. 3130 Communication from Harold West, Director of Lands and Buildings, requesting interim approval for the Directors of the Department of Lands and

Buildings and Public Works to obtain the services of a contractor/s to begin remedial work to relieve the distressed earth condition at Royal Street and to engage a soils engineering firm to act as a consultant. Cost estimated to be approximately \$250,000.00, payable from 1978 Community Development Block Grant Funds, Unspecified Local Option.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Lally moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also

No. 3131 Resolution providing for a contract or contracts for modernization of Elevator "H" City-County Building - Capital Project LB 78-10, Public Buildings, Access by Handicapped; and providing for the payment of the cost thereof.

Also

No. 3132 Resolution amending Resolution No. 98, approved February 13, 1979, effective February 16, 1979, entitled "Resolution providing for an Agreement or Agreements with the County of Allegheny for one-half share not to exceed \$125,000.00 in connection with Cornice Repairs and Cleaning, City-County Building; and providing for the payment of costs thereof," by reducing the cost from \$125,000.00 to \$80,000.00.

Also

No. 3133 Resolution repealing Resolution No. 1134, approved November 25, 1977, authorizing the sale of property in the 24th Ward being a 2 sty. fra. hse. on 1709 Howard Street, Block 46-S, Lot 124 to Frank Feick for \$750.00. Hand money of \$100.00 to be forfeited.

Also

No. 3134 Resolution repealing Resolution No. 734, approved 8/110/77, which authorized the sale of property in the 26th Ward being a 2 sty. fra. hse. on 2612 N. Charles Street, Block 46-E, Lot 75, to Future Associates for the sum of \$500.00. Hand money of \$100.00 to be forfeited as purchase has not complied to agreement of sale.

Also

No. 3135 Resolution repealing Resolution No. 173, approved 2/28/77, which repealed Resolution No. 910, approved 10/4/77 for the sale of property in the 5th Ward on 2101 Webster Avenue, Block 10-J, Lot 275 to Smith Watkins Post #2 Legion of Guardsman by deleting "Hand money in the amount of \$600.00 to be forfeited" and inserting in lieu thereof "Hand money to be refunded".

Also

No. 3136 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Masloff presented

No. 3137 Resolution providing for a lease from Western Pennsylvania Water Company of certain property on Becks Run Road, 29th Ward, for a term of six months at a rental of One Dollar for recreational purposes; and providing for a sublease to the Carrick Community Association for recreational purposes.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3138 Resolution providing for a contract or contracts for the rehabilitation and installation of bituminous paving, concrete and fence at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3139 Resolution authorizing the issuance of a warrant in the amount of \$15,309.77 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof.

Also

No. 3140 Resolution authorizing the issuance of a warrant in the amount of \$11,038.60 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Mr. Stone presented

No. 3141 Resolution authorizing the solicitation of proposals for \$8,500,000.00, Principal Amount, General Obligation Bond Anticipation Notes of 1979, Series B, providing for the payment of the expenses of such sale and repealing inconsistent resolutions.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following

the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3142 Resolution authorizing issuance of a warrant in favor of Carl Podgorski in the sum of \$802.47 in settlement of claim for damage.

Also

No. 3143 Resolution authorizing the issuance of a warrant in favor of Ronald L. and Margot Ernharth in the sum of \$585.33 in settlement of claim for damage.

Also

No. 3144 Resolution providing for the issuance of a warrant to Carol Ann Regan and Donald W. Regan in the amount of \$2,500.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 3145 Resolution providing for the issuance of a warrant in favor of Burroughs Corporation, P.O. Box 910, Rochester, New York, 14603 in the amount of \$412.00 for payment of repairs to the check writing machine in the City Controller's Office.

Also

No. 3146 Resolution amending a portion of Page S-55 of Resolution No. 1588 of 1978 as amended by Resolution No. 121 of 1979 entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by correcting the rate of pay for Graded Detectives in the Department of Police.

Also

No. 3147 Resolution providing for an Agreement or Agreements with the School District of Pittsburgh and the Educational

Programs Diocesan School Board of Pittsburgh, Inc., effective May 1, 1979, for the implementation of the City Youth Employment Program and providing for the payment of the costs thereof.

Also

No. 3148 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Walter Fortson, to attend Department of Labor Automated Management Information System Proptotype Training Session, Philadelphia, Pa. May 8-9, 1979, at cost not to exceed \$150.00 payable from CETA Trust Fund.

Also

No. 3149 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission, requesting permission for Susan Carr, to attend Department of Labor Conference to discuss Automated Management Information System Proptotypes for CETA, Philadelphia, Pa. May 8-9, 1979, at cost not to exceed \$150.00, payable from EOPP Trust Fund.

Also

No. 3150 Communication from Mead J. Mulvihill, City Solicitor, submitting summarize settlements of claims not exceeding \$500.00 for the First Quarter of 1979, payable from Code Account 1081, Petty Claims.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Coyne:

Mr. President, with regard to the legislation for the solicitation of Note money, I'd like to have the City Clerk direct the Director of the Department of Water, Parks and Recreation, Public Works and Lands and Buildings to make themselves available for this Thursday or Friday morning to discuss thee 1979 Capital Iprovement Projects that will be included and more importantly those that will not be included. And, if Coun-

cil could schedule a hearing Thursday morning and Friday morning at the convenience of the Directors.

The Chair:

Mr. Perry will take care of that.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3151 Report of the Committee on Finance for April 25, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2793

A Resolution entitled, "Resolution authorizing the Mayor to enter into an agreement or agreements with Johnson and Higgins of Pennsylvania, for actuarial and related services and studies of the Municipal Pension Funds, the Policemen's Relief and Pension Fund, and the Firemen's Relief and Pension Fund, and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 3051

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Donald J. Lee, Esq., in the amount of \$360.00, in payment for professional services rendered to th Council of the City of Pittsburgh, without previous authority of law." law."

Which was read.

Also,

Bill No. 3052

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty-Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3053

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boquet Construction Company, Incorporated, in the amount of Five Hundred Seventy Four Dollars (\$574.00) in payment for Extra Work furnished for the benefit of the City in connection with Sidewalk Construction/Various Locations and Other Work Incidental thereto; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3057

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of At-

wood & Bates Construction Company, 3624 Bates Street, Pittsburgh, Pa. 15213, in the amount of \$2,075.50 in payment for installation of a catch basin, terra cotta pipe and sewer casting, furnished for the benefit of the City in connection with the water line installation on Brighton Road between West North Avenue and Jacksonia Street, City Controller's Contract No. 23171-F and providing for the payment thereof."

Which was read.

Also,

Bill No. 3058

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960 in the amount of \$9,000.00 in payment for the sealing and plugging of three 30" outlets furnished for the benefit of the City in connection with the Rehabilitation of Sedimentation Basins Nos., 1, 2 & 3, City Controller's Contract No. 23098-F and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9 Noes None

And there being two-thirds of the votes of Council in the affirmative the bills passed finally.

Also,

Bill No. 3063

Resolution entitled, "Resolution authorizing the Solicitation of Proposals for Principal Amount, General Obligation Bond Anticipation Notes of 1979, Series A, providing for the payment of the expenses of such sale and repealing inconsistent Resolution." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 3063, and I believe 3064, the companion bill, I think it is the position of Mr. Donahoe, and I've talked to other people in the budget office, and it is my opinion that we should not be going out to borrow money, further indebting the City when we have \$30 Million sitting in Capital Fund monies, of which \$13 Million is unencumbered. I'd like that as part of the record and I will be voting no on this bill.

I would also like my remarks from last Wednesday's meeting incorporated into the minutes of this meeting.

MICHELLE MADOFF'S REMARKS FROM THE MEETING OF WEDNESDAY, APRIL 25, 1979:

Michelle Madoff:

I'm not arguing. I am saying this is another valid point and I would like to use existing unencumbered funds and borrow from that as opposed to borrowing and then paying interest.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3064

A Resolution entitled, "Resolution amending Resolution 1589 approved December 30, 1978, effective January 1, 1979 entitled 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to Capital Funds' by adding additional section."

Which was read.

Mr. Robinson moved to recommit Bill No. 3064.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Coyne:

Mr. President, that was the bill that on Wednesday, Mr. Donahoe had said we didn't need as part of the Note Sale.

Michelle Madoff:

Mr. Albert said you did need it.

Mr. Albert:

After checking, you don't need it.

Also,

Bill No. 3065

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Irvin Taylor in the sum of \$547.73 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3066

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Harold E. Evans in the sum of \$547.77 in settlement of claim for damages."

Which was read.

Also,

Bill No. 3067

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Robert Arrington in the sum of \$1,600.00 in settlement of claim for damages.

Which was read.

Also,

Bill No. 3068

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$32,163.00 in favor of the City of Pittsburgh, Liquid Fuel Tax Account #0925150029, Equibank, N.A. and chargeable to City of Pittsburgh Liquid Fuel Tax Account #921-7716, Mellon Bank, N.A."

Which was read.

The Chair:

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3069

A Resolution entitled, "Resolution amending Resolution No. 286 approved March 29, 1979 effective April 3, 1979 entitled 'Providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward from April 1, 1979 for a term of one year at a rental of \$630.33 per month to house the operation of the City CETA Youth Program, upon certain terms and conditions; and providing for the payment of cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes 1 (MR. COYNE
VOTING NO)

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 3100

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny West Civic Council, Arts & Crafts, Center of Pittsburgh, Bethesda Center, Inc., Boys' Club of Western Pennsylvania, Brashear Association, Carnegie Institute, Carnegie-Mellon Child Care Center,

Community Action Pittsburgh, Inc., Consumer Cooperative of Pittsburgh, Inc., East Allegheny Community Council, East End Cooperative Ministry, Ernest T. Williams, Jr. Memorial Center, Jewish Family and Children's Service, Manchester Craftsmen's Guild, The Mattress Factory, Ltd., Metropolitan Pittsburgh Public Broadcasting, Inc., National Council of Jewish Women—Pittsburgh Section, Neighborhood Centers Association, Nineteen, Inc., Northside Civic Development Council, Inc., Parents Anonymous of Pittsburgh, Pittsburgh Jewish Community Center, Three Rivers Youth, Inc., Transitional Services, Inc., Urban League of Pittsburgh, Inc., Vintage, Inc., and Vocational Rehabilitation Center of Allegheny County, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3152

Report of the Committee on Public Works for April 25, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3081

A Resolution entitled, "Resolution further amending Resolution No. 1249, effective November 3, 1978, as amended by Resolution No. 1522, effective December 31, 1978, entitled, 'A Resolution providing for a Contract or Contracts for the replacement of the Herron Avenue Bridge, PW 78-13; and providing for the payment of costs thereof', by including a provision for decreasing the maximum authorized amount from \$2,247,000.00 to \$2,158,229.80; and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3153

Report of the Committee on Planning, Housing and Development for April 25, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2862

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 9 by changing from "S" Special District to "R2" Two-Family Residence District all that certain property bounded by: Ely Street; the boundary line of the City of Pittsburgh and Baldwin Township; the southerly line of Lot Numbered 73, Block 139-A in the Allegheny County Block and Lot System; the southerly and easterly line of Lot Numbered 75, Block 139-A in the aforesaid system; the southerly line of Lot Numbered 74, Block 139-A and Lots Numbered 154 and 150, Block 139-F; the southerly and easterly line of Lot Numbered 149, Block 139-F and the projection of the easterly line in a northerly direction; the southerly line of Lots Numbered 328, 326, 324, 322, 320, Block 139-B and Lot Numbered 50, Block 139-F in the aforesaid system; and the southerly line of the revised Frey Plan of Lots recorded in Plan Book Vol. 87 pages 13 and 14, 32nd Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, point of clarification, I wonder if Mr. Givens would confirm . . . was this the hearing we had for the people from the township, the people from the City, the property was sort of on the borderline . . . the

people from the City were concerned about the fact that in the Overbrook area and in other areas it would continue to impact on the Saw Mill Run problem which is already horrendous in that area?

Mr. Givens:

Yes.

Michelle Madoff:

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes	8	Noes	One
(MICHELLE MADOFF VOTING NO)			

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 3154

Report of the Committee on Water for April 25, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3059

A Resolution entitled, "Resolution providing for a cooperation agreement or agreements

with The Ohio River Valley Sanitation Commission (ORSANCO) in connection with The Early Warning Organics Detection System."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3155

Report of the Committee on Parks and Recreation for April 25, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3061

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Musicians Performance Trust Fund of the National Musicians Union for the provision of musical services in connection with the 1979 Music Program in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3062

A Resolution entitled, "Resolution amending Resolution No. 99, approved February 13, 1979, effective February 16, 1979, entitled: 'Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost, which is not to exceed \$30,000, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation,' which was amended by Resolution No. 266, effective April 3, 1979 by changing the Code Account to Code Account 1833, Concerts, by providing \$2,000 for additional services, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

Someone had asked the question . . . there are no dollars involved.

I would like to have my comments on this bill from Wednesday incorporated into the minutes of this meeting. I believe Mr. Robinson addressed this issue as well. I believe there is foundation money available for \$2,000.00 for symphonies, nobody would let the symphony and industry go down the tube for lack of \$2,000.00 but for lack of \$2,000.00 we would see a ballpark done away with and a senior citizens program. I will vote no.

**MICHELLE MADOFF'S REMARKS FROM
THE MEETING OF WEDNESDAY,
APRIL 25, 1979:**

Michelle Madoff:

The point I was making is that it is easier to raise money from industry or our fundations for the Symphony than to get funds for a baseball field and I think we have to work on priorities. Since the day I got here, we have been talking about setting up some mechanism. I would be willing to bet a hundred dollars, if it was a matter of having that concert in the park for \$2,000, you could raise it from industry. I am an expert at raising that money and I know it can be done.

Mr. Robinson:

I would like to also have my remarks from Wednesday's meeting on Bill No. 3062 incorporated into the minutes.

**MR. ROBINSON'S REMARKS FROM THE
MEETING OF WEDNESDAY,
APRIL 25, 1979:**

Mr. Robinson:

Mr. Chairman, not to belabor the point, I just want to say, when we begin to talk about needs and services in the community, and priorities, that I, for one, take the Little League over the Symphony, not because we don't need the symphony, but because many of our young people have nothing to do in the summer and quite often, recreation programs are all they have to look forward to. Many people can afford to go on their own. Spending this money on the Symphony and giving the extra monies and not funding others because we thought there were too many.

I would like the record to reflect Council did approve transfer of money from the contingency for two organizations that had the foresight to request it. I want Council to know we need to follow up and see if any kind of agreement is being reached with those groups. The money is there.

MOTIONS AND RESOLUTIONS

Mr. Givens presented

Bill No. 3156 WHEREAS, June of this year is internationally recognized as Huntington's Disease Month; and

WHEREAS, the Committee to Combat Huntington's Disease has affiliated chapters in eight nations dedicated to provide support and information to patients, families and health professionals as well as to promote research into the causes and treatments of Huntington's and related diseases; and

WHEREAS, Marjorie Guthrie, Founder and President Emeritus of CCHD, has led the organization's efforts in the spirit of her husband, Woody; and

WHEREAS, the Pittsburgh's Branch of the Committee to Combat Huntington's Disease and its President, Janet Powers, evidence our strong, local community effort to fight the crippling effects of Huntington's Disease which threatens all people.

NOW, THEREFORE

BE IT RESOLVED that the Council and the Mayor of the City of Pittsburgh applauds the valiant efforts of Marjorie Guthrie, the Pittsburgh Branch of the Committee to Combat Huntington's Disease, and the international CCHD, and recognizes June as Huntington's Disease Month so as to draw public attention and resources to this noble pursuit.

Which was read.

Mr. Givens moved for adoption.

Mr. Bulls seconded the motion.

Which motion prevailed.

Mr. Givens:

I would like to so indicate that Marjorie Guthrie, because of her heavy schedule and noteworthiness as a celebrity among other things, on behalf of her husband Woody Guthrie who has made many beautiful songs and poetry, the folks songs in this nation, "This Land Is Your Land," etc., Marjorie will be in here on Wednesday at 10:00 A.M., and if this Council could so honor her. She will be going from here to the Mayor's Office, and to the Commissioner's Office and to the State House where the Governor will also present her and that this body here so recognize her for her faithfulness to this particular Huntington's Disease, that crossed laterals into many other nervous central diseases and the experimentation that is going on in this right now.

The Chair:

We will present the resolution to her on Wednesday morning, thank you sir.

Mr. Lally:

Only on the condition that she sings a song for us. She is a folk singer.

The Chair:

I never heard of him or her, I haven't gotten past Guy Lombardo.

Mr. Robinson presented

Bill No. 3157 WHEREAS, the future economic, social and cultural development of the City of Pittsburgh is dependent upon a positive, healthy and safe physical environment; and

WHEREAS, the public and private school systems serving our citizens are an integral component of that physical environment; and

WHEREAS, a quality educational system is a necessity to address the educational and employment needs of the residents of the City of Pittsburgh; and

WHEREAS, the Pittsburgh Board of Public Education has recently presented to

the public its plan for a quality educational program; and

WHEREAS, this Council is committee to a safe, quality education for all children regardless of the neighborhood or section of the City.

NOW, THEREFORE

BE IT RESOLVED that this Council on behalf of the residents of the City of Pittsburgh encourages the Pittsburgh Board of Public Education to initiate any and all positive actions to insure the safety of all children affected by the reorganization of the school system and to initiate those positive actions that will encourage students, parents, school officials, teachers and citizens at large to comply with the orders of the Courts relative to reorganization.

Which was read.

Mr. Robinson moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair presented

Bill No. 3158 WHEREAS, the citizens of the Mount Washington area have expressed serious concern over the increased volume of building activity in their area; and

WHEREAS, these citizens wish to bring major development under control until problems such as traffic congestion, parking, and repair of major routes are solved; and

WHEREAS, they feel that to continue proposed major development in their area would prevent alleviation of these problems and cause unwarranted stress on the residents of the community.

NOW, THEREFORE

BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh hereby echo the sentiments of the citizens and urge the Planning Commission to implement a

modified moratorium on major development in the Mount Washington area.

Which was read.

Mr. Givens moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

Almost all the Members of Council were present at that meeting, I believe it was last Tuesday evening, and we realized that they had some major concerns up there . . . mostly police problems and problems related to traffic and planning, traffic congestion, what have you.

We are being told by the City Solicitor, I believe it is off the top of his head, that we can't pass an ordinance to that effect, but I'm almost sure since we passed this resolution here today that the message will be carried on that there will be no development whatsoever in that area unless those problems are alleviated and we can keep our promise to those people that we made the other evening.

Mr. Coyne:

Mr. President, I'd just like to point out that this is not a newly recognized problem in the Mt. Washington area, and over two years ago this Council appropriated \$30,000 for a Mt. Washington traffic and other problems study. That study was completed and I think the problem is the implementation of that study. But just as so many other studies that we pay for including the \$58,000 study last year to find out why people stayed in the City, we conduct the studies, we pay for them and don't implement them. We all received studies two years ago of the Mt. Washington problem after paying the money to have that study done and it is a question of implementation.

The Chair:

Mr. Coyne, I believe the study was concluded and as you stated it wasn't implemented.

Mr. Coyne:

Yes, it was completed at least a year and a half ago.

The Chair:

Well these people are about ready to climb a wall by now.

Mr. Lally:

Well, this is the building more of condominium apartments on the Mount and other storerooms that they are . . .

The Chair:

They weren't concerned with such as, you know, fixing porches or putting in garages . . .

Mr. Lally:

No, you couldn't restrict them to that, because after all you'd stop all construction up there and what we are saying here is just to modify it.

The Chair:

Well, as I stated Jim, you know we can't even stop major development, but if they propose them and they don't alleviate these problems, I'm almost sure all of the Members of Council would vote against the proposal, so it would be rather futile to bring those proposals up if they are going to be voted down, if the problems aren't solved.

Mr. Lally:

Its the traffic, that is the biggest problem it seems.

Mr. Coyne:

Well, I think the last thing that the Members of Council would want to do would be to inhibit development. I think that we have to do is make the environment such that development can prosper and people can live among that development.

Michelle Madoff:

Mr. President, as you know there were a great number of people there and we were asked to stay and chat with the citizens of the area and I felt and I think that many of us would agree, if we are going to be honest, its really sort of a message that you are sending, and I think you stated that by supporting a resolution, all we are saying is that you are sending a message to the Mayor and his staff that we want something done there. But that is sort of almost a dishonest thing and I don't mean that to be calling anybody a name, I mean as an act. I think that maybe it would be more appropriate . . .

The Chair:

I'll be glad when you call it subtle blackmail and that's what it is. If that's what we have to use we're going to use it.

Michelle Madoff:

Well, I would like to make a suggestion that might be constructive.

I wonder if we might not schedule a hearing a Council on the items that they have listed in their petition and I think there is something like eight or nine items, and have the people from the various departments, as we do with other hearings, come before us, let them answer questions and let them get specific answers. I think there have been studies done, lets find out in public why they have not been enforced. I think its really, just passing this resolution is like giving them ice cubes and they are going to melt in their hands and they really have nothing. I'm afraid if we don't take it a step further right now and schedule a hearing, we've really been dishonest with the people up there, that we are not stepping forward to help with the problem. I would like to respectfully ask that we schedule a hearing for these people to come in and take up the issues with all the Department heads present to answer the questions.

The Chair:

I hate to cut you short, there is no problem with a hearing except that I think we ought to have the Police Superintendent and the Superintendent of Traffic and Planning in on Wednesday and find out just why

the program wasn't implemented. We got the word from the Traffic Director and also from the Superintendent that once the study was concluded they would do their job and apparently they haven't.

Michelle Madoff:

Mr. President, I have no quarrel with that, if you want to meet with them in advance, and I think that is perfectly reasonable, but I think at some point these people . . . when they have over 300 people show up, there are many more that are concerned and I think we really have to address the problem . . . maybe we need a hearing that is maybe a half a day here . . . as you say, the Department heads that you have mentioned, the Police, the Traffic and City Planning and Public Works and everybody is here, then they ask questions and get specific answers. If we do less than that I think we are letting the people in the community down and I might point out that we have an agenda item on Wednesday that I know of that was postponed from last Wednesday, we are getting a complete report from Mr. Larry Yatch on the operation of the garages and is a very in depth . . . it is an 80 page report which he is going to summarize, but it encompasses the energy problems and the dollar problems that he is incurring in his area and what is happening with the automobile accidents and so on. That has been on the agenda for two months, it was postponed at his request from last week to this week, I don't know what else is on the agenda and I just think it might be more appropriate to schedule a hearing where we really address the problem and get down to solving some of the issues.

Could we schedule that, would that be in order Mr. President?

The Chair:

That is in order.

Mr. Perry tells us that there is a zoning matter coming up on Republic Street no doubt that they will all be discussed at that hearing.

Michelle Madoff:

Well, may I just suggest then that we did

get a petition from the people and it is the usual practice to let them know, I have requests from the Chamber of Commerce on Mt. Washington and so did Mr. Perry, to get a copy of this decision over to them today and I think that they should be perhaps advised to expand that particular hearing to include all of the issues so that we don't have 10 hearings on the same problem, I think you are absolutely right on that.

Mr. Perry:

Whenever we receive legislation on Republic we will invite them all.

Michelle Madoff:

But they are waiting for an answer, they wanted to know whether Mr. DePasquale was telling them he was really going to try and get this resolution through to have a moratorium and I'm certain that if he told them he was, he really was, but we can't change the law, the law is that we are giving them ice cubes, so you're giving them something that doesn't mean anything and I think we really have to not wait until this Republic Street hearing comes up, but let them know in advance to include whatever they want to do at that date so that we have it all at one time and not have two or three hearings. It may not be possible to address the nine points all at one, you may need two hearings, but I think they are entitled to that.

Mr. Bulls:

What I wanted to find out for my own certification, there was a public hearing that we had in Mt. Washington, wasn't there?

The Chair:

Yes there was

Michelle Madoff:

Well, I assume that it was only a meeting that was called, sort of a citizen meeting.

Mr. Bulls:

As I understand it that was a public hearing.

The Chair:

Council called it a public hearing, but due to the fact that I didn't know if all of the Members of Council would get there we didn't require a quorum, so in a way it wasn't, but it was.

Mr. Givens:

All public hearings require that we have our legal, and that everything is taken as so recorded, verbally.

The Chair:

A public hearing is quite in order, there is no problem.

Mr. Bulls:

Mr. President, that brings me to another point, the advantage of sometimes having a public hearing during the day is that the Directors are accessible during the day. You can just call for them.

Michelle Madoff:

Why can't they be accessible in the evening.

Mr. Bulls:

I can't answer that, I'm not a Director.

Michelle Madoff:

Do you want three hundred people to come here and have to take off work or can we get the Department heads to be accessible.

Mr. Bulls:

I wasn't addressing myself to the people. I was addressing myself to the Directors, they are accessible during the day.

Michelle Madoff:

Well, give them equal compensation, time off.

Mr. Stone:

Mr. President, if I may, relative to this particular issue, I would be remiss if I didn't

indicate that I think the City Solicitor is accurate I don't know that legally we could just issue moratoriums with the amount of information we have before us presently. I do think however, that the resolution in its present form does indicate Council's intent as far as we are concerned that no major development will come through this Council unless some problems are solved. Where we go from there is now the most important thing to which I would like to address myself.

Too often we try to slide a lot of things in here before election time, and if we are talking about ice cubes, that is what we are talking about. We still have to get down to implementation, how many times do they on Mt. Washington hill have to tell us what their problems are. They have been telling us now for four years what their problems are and they haven't faded away and they are not likely to fade away even if they keep telling us for the next four years.

As Mr. Coyne has indicated that is accurate. The traffic study, we paid \$30,000 just to provide another exit off of the Mt. Washington hill coming down the back to the West End . . . after we got the study, that was to be moved. I personally, have not heard from anyone relative to that back exit which we wanted to be done and this Council indicated at that time that we would do anything that we could to provide that for them. But as it is right now, it is quite obvious, every car that goes up comes back down the same road. If we put another exit on the other end so that they could go through, then I think that would give them a lot of relief without hearing them every week or without hearing them every year and for four more years.

I think it is about time that we know what the problems are and if we really want to be sincere to the people of Mt. Washington, its about time that we got down to constructive implementation and talk to the Directors ourselves and finding out from them what we are going to do to give them the relief they are entitled to which we spent \$30,000 for, which we have heard from these people, which we've told the Directors before, which unfortunately hasn't been forthcoming. I think it is time now to start to deliberate without listening any more. If we need to

listen some more then there is something wrong with those who are listening because we are not doing anything with it.

Mr. Givens:

There was to some degree, not a moratorium, but if you can recall, several years back where they put a height limitation on anything to be built on Mt. Washington, I think it was, what? One hundred feet, maximum in height so that the people behind were not going to be blocked out completely.

On that traffic study, myself, looking at it personally, they are going to have to take some people's property, especially right along the Grandview Avenue and I think this is the thing that when the community saw that, sort of, everything went to settle. I think they can and have proven by maintaining the roads that they have up there, possibly in better condition and etc., but I think this resolution that has been put forward by Council today asking for some type of moratorium, in fact, should be there to study the issues, but it affects that one development down there that was indicated, that night, that this would not stop any individual from trying to remodel his home, repairing it, maybe adding on to it or something like that, but for major construction to be accomplished up in the Mt. Washington area.

Mr. Lally:

Permits have been granted for places like St. Justin's, remodeling of St. Justin's and different other buildings and that is to continue. That is to stop.

The Chair:

I don't mean we stop anything that has already been approved, I don't think you can stop anything that has already been approved or that is in progress . . . this is in regard to new projects.

Mr. Lally:

New condominiums. . .

The Chair:

Nothing that is in the working stages or approved.

Mr. Givens:

I would suggest then, Mr. President, that Mr. Perry send a letter down to our Planning Commission because that is where the input comes in for development which might not even come to this Council's attention.

Michelle Madoff:

Mr. President, there is no one here who is going to vote against this resolution, because the point is to send a message and I think we are all in agreement with you.

Addressing Mr. Stone's statement about the election, I believe this meeting was called by you Sir, the petition came to you and I only got it through scheduling that there was a meeting up in Mt. Washington. As I pointed out there is no time this coming Wednesday and I don't know if there is any before the election to schedule a public hearing to address the issues. I was not suggesting a public hearing where one ventilates and feels better again, has a chance for the issues to be aired again, but more in the nature I repeat, of getting questions specifically answered. While it is true that we could have a meeting with the Department heads, there is a Sunshine Law and the Sunshine Law says that people are entitled to hear what is being said between Department heads and Council, and I think we should not get them angrier than they are, and I think they really are upset, by letting them know that we are addressing the problem, that we are scheduling a hearing and the Department heads will be here to answer the questions, whether we deal directly with the Department heads or with the public. Particularly in light of the point that Mr. Givens made, we all agreed they need a back road out of there. You'd have to take land probably by eminent domain, shouldn't they be there when we discuss that with the Department heads?

The Chair:

Mr. Perry, if you will notify the leader of the Southridge Organization that we are having a regular Finance Committee meeting on Wednesday, and it is a public hearing and they are entitled to come in and listen to the Directors.

Mr. Givens:

I just have one more point that I have been delaying and that is to try to get people from the Mayor's Office and the various Departments to come in and talk about our Pa Pitt Program, Neighboring Cleanup Program, clean up of vacant lots and even more seriously, as told to me by citizens of the South Side, the garbage pick up and the fact that in certain neighborhoods, under test programming, they are having to put their garbage on the curbside, and there was considerable concern about this, especially those people who are elderly when they try to put their garbage on the curbside.

This must be addressed in total, I would ask the various Departments, Environmental Service, Department of Public Works, the Mayor's Office, again, to have some type of representation over there this coming Wednesday, whether I am here or not, to find out what is happening. We are getting too far downstream right now and I think we have to know what the attitude and what the plans of the Administration are.

The Chair:

Thank you Mr. Givens. One more comment on the problem in the Mt. Washington area, it was brought up that the observatory, the mushroom type things for the people to stand on and overlook the downtown area, was to some extent decaying. I checked with Mr. Albert and I asked him to go up and look at that, he said he was quite aware of it and checking it out with the various departments, apparently there is a contract going out very shortly to repair and fix them, so that problem will be solved. This was considered quite a serious one for that area.

Mrs. Masloff:

I move that the Department of Public Works furnish Council with a copy of the final draft of the request for proposals and all documents contained therein for a Cable Communications System for Pittsburgh, prior to the City's advertising for bids, in order to provide Council with an opportunity to make suggestions with respect to the document and to enable Council's Cable Advisory Committee to do the same.

Mr. Bulls seconded the motion.

Which motion prevailed.

Michelle Madoff:

I wanted to comment on the fact that when I went back and looked over the ordinance and said that that was the proper procedure, there should be review.

I have another item Mr. President, as you know, the illusions to elections and taking time, we spent a great deal of time here last Wednesday and Mr. Imhoff waited through the whole meeting and I felt that I should not take any more of his time. He provided me, and I don't the Councilmembers got copies, I made copies, of what they plan to do about the problem with the falling cornices off the buildings. I think it should be a part of the record, from what I understand, they are trying to do it by voluntary, in putting the onus on the building owners because the City doesn't have the kind of dollars to go out and do it as a City project. If that fails however, he will then take another approach and there are going to be some fines in the present Code requirements which will make it mandatory. I think we ought to watch this issue very closely.

April 26, 1979

Mrs. Michelle Madoff
City Council

Dear Councilwoman Madoff:

In response to your request at the conclusion of the Council meeting on April 25, 1979, to furnish you with the plan we intend to formulate for inspection of cornices and steeples, please be advised as follows:

I have requested a print out for downtown from the Computer Center. On April 18, 1979, I decided to plot the various streets and assign our inspectors the job of locating all the buildings with a facade or architectural feature that could possibly be a problem.

I intend to send letters to all the owners of such buildings directing them to have an inspection made by an engineering or ar-

chitectural firm who will advise that the buildngs are safe at the time of inspection.

Our present building code places the responsibility for maintaining these buildings on the owners.

I have advised Mr. Stuart Arnheim of Arnheim & Neely, who is a Director in the Building Owner's and Manager's Association, to alert their group of the impending request so that we do not hit everyone without prior notice. We have always had excellent cooperation with BOMA and the other organizations downtown and I feel the same cooperation will prevail. In addition, the news media has given helpful coverage. Please understand that our inspectors cannot make the proper inspection of the cornices.

I was on the roof of the Allegheny Building and could not see enough to determine anything other than a close inspection was necessary over the side of the building. This inspection must be done by the professional who can assure the City of the safety of the structure.

The City of Chicago has recently passed an ordinance requiring inspections every 5 or 10 years depending on the age of the building. It also gives owners until September of 1980 to comply.

If our plan does not work out, I will present such an ordinance to Council, but I

feel we can do fine with our present code requirements.

Very truly yours,

Paul J. Imhoff
Superintendent

Mr. Lally:

I notice we passed a good example, because with this building here, the contract let for it, for the cleaning and checking of cornices.

Michael Madoff:

From what I understand there are very few people who can do that kind of work and consequently, even if everybody wanted to do it tomorrow they couldn't do it.

Mr. Lally:

Well, our contract has been let for this building.

Mr. Stone moved to approve the minutes of Monday, April 23, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Wednesday, May 2, 1979

No. 19

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Wednesday, May 2, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and justice for all.

The Chair:

Thank you. This may be a bit unusual, but at the Monday Legislative Session, we passed a resolution honoring Mrs. Marjorie Guthrie, and sounding out the cause of the disease that Mr. Guthrie died from. Mrs.

Guthrie couldn't make it at that time, but Mrs. Guthrie is here today and I would like Mr. Givens to present the resolution in person to Mrs. Guthrie and the persons who are with Mrs. Guthrie. Would you please, Mr. Givens.

Mr. Givens:

It gives me great pleasure to be up here, I think only the second time in my Councilmanic career, and I think this is more important than the first time I came up here, because, government, I believe is to serve people and I think what we are going to witness here today, for you people who are not aware, is that we are serving the people of our community and government itself.

I became aware of Huntington's Disease in working with many of the veterans in the V.A. Hospital up on Highland Drive, Leech Farm, as some of us know it. Among that group that had met up there was our own Bill Langston who is working as a pilot project here on our own Council, and all of Council is to be commended for what they are doing on that particular pilot project.

For Marjorie, who has come in here from New York, I would like to say that she is an inspiration, not only in the Huntington's Disease, but all neurological diseases that people have. This Council would like to recognize her and her various committees.

Mr. Givens presented

Bill No. 3156

WHEREAS, June of this year is internationally recognized as Huntington's Disease Month; and

WHEREAS, the Committee to Combat Huntington's Disease has affiliated chapters in eight nations dedicated to provide support and information to patients, families and health professionals as well as to promote research into the causes and treatments of Huntington's and related diseases; and

WHEREAS, Marjorie Guthrie, Founder and President Emeritus of CCHD, has led the organization's efforts in the spirit of her husband, Woody; and

WHEREAS, the Pittsburgh's Branch of the Committee to Combat Huntington's Disease and its President, Janet Powers, evidence our strong, local community effort to fight the crippling effects of Huntington's Disease which threatens all people.

NOW, THEREFORE

BE IT RESOLVED that the Council and the Mayor of the City of Pittsburgh applauds the valiant efforts of Marjorie Guthrie, the Pittsburgh Branch of the Committee to Combat Huntington's Disease and the international CCHD, and recognizes June as Huntington's Disease Month so as to draw public attention and resources to this noble pursuit.

Mr. Givens:

As you all know, Woody Guthrie wrote many famous folk songs such as "This Land is My Land", etc.

At this time Marjorie, would you please come forward.

Mrs. Guthrie:

As you know, this is a first time for me. I've had some awards and some friendships that have brought me into strange places, but I've never been here before. I must say it is very gracious and kind of you because it is true that this disease was hidden for several hundreds of years. Not because the families were so worried about what would happen to them amongst themselves, its what society did to people who were neurologically impaired. And what I learned in my travels was that there were many families who had other similar problems; people with multiple

sclerosis, muscular dystrophy, cerebral palsy, which are the better known ones. Then there are the ones like Turret's Syndrome, etcetera . . . I can name a whole slew of them, and they are all people who, in the eyes of the public, don't look well and people shun them socially. The stigma, the problem, the economic devastation, what families feel as a result of this, forcing them to hide, when these diseases particularly, if they are, inherited.

So, we are waging an educational battle. A cultural battle, to educate the public to recognize that you must see people with your hearts, not just with your eyes and to give people an opportunity to function to the best of their ability wherever they are . . . at home, or on the street, or in a rare facility.

And I want to recognize all of the beautiful, what I call "helping" people. The people who are nurses and social workers and the families who come and help somebody else's family. This great sharing, this great concern, this great care for other people is what this world needs. We have to open up the doors, open up our homes, open our hearts and begin to share together what we can do.

I'd like to say that if the number one priority of any country could be health, you would save all the brains and the hearts that would help us solve all the other problems that we have to face. A sick and dying man will not help you with ecology. A sick and dying man is not worried about employment, and he is not worried about what is going on next door, but if you can save him and his brain and his heart, he is going to help all of us.

So, I want to commend all of the beautiful people that have been helping us, particularly the Committee to Combat Huntington's Disease, who represent several hundred people who are affected by a disorder that is called neurologically impaired, and if my work with Huntington's can reach out and tell other people who have similar problems, we are going to do very well.

I want to say to you that next week I am going to Italy and Spain because the medical people have invited me to come, so we are

now going to have two more countries of organized families with Huntington's Disease to help us in our struggle.

Thank you very much, all of you, open your hearts, and your pocketbooks and reach out and lets make health the number one priority in this City, in this State, in this Country. We will have a much more beautiful country for more people. Thank you very much.

Mr. Givens:

Locally, here from the local Chapter is Janet Powers, would you stand up and be

recognized, also the one who has brought me into it and is a wonderful person . . . the clinical nurse who takes care of many of our veteran patients in the V.A. Hospital, along with the Huntington Disease people up there, Janet Scully, please stand and be recognized.

The Chair:

I want to thank all of you very much for coming here today.

And on the motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, May 7, 1979

No. 20

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, May 7, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT:

Mr. Givens
Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag off the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3159 Petition from residents of the Fifth Ward in the "Uptown Section" of the City of Pittsburgh requesting a public

hearing before Council regarding the methods of investigation used by the Vice Control division of the Pittsburgh Police.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3160 Resolution repealing Resolution No. 928, effective December 6, 1976 entitled "Providing for letting of a contract or contracts for the furnishing, delivery, installation and supervision of equipment (Electronic Air Chargers) for the Department of Public Works, and for the payment thereof."

Also

No. 3161 Resolution repealing Resolution No. 190, effective March 6, 1979, entitled: "Further amending Resolution No. 675 approved August 16, 1976, entitled, A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account, as amended by Resolution No. 747 of 1977, No. 1020 of 1977, No. 4 of 1978, No. 725 of 1978, No. 1333 of 1978 and No. 21 of 1979, by increasing the maximum aggregate authorized amount from \$14,169,000.00 to \$14,184,000.00 and by providing for the payment of the additional

\$15,000.00 by increasing the amount of funds available from PR 77-25, and by amending Exhibit I to indicate the revised total funding."

Also

No. 3162 Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978 as amended by Resolution No. 977, effective August 31, 1978, as amended by Resolution No. 1254, effective November 3, 1978 entitled as amended by Resolution No. 1532, effective December 31, 1978 entitled "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection herewith; creating Capital Funds; transferring Bond Funds to said Capital Funds"; by transferring funds from PW 78-24, Brownsville Sewer and creating three new lines items: PW 78-33 Construction Division - Purchased Materials and Equipment; PW 78-34, Flashing School Signs and PW 78-35, Electrical Services Contract and Equipment; and providing for the payment of costs thereof.

Also

No. 3163 Resolution providing for a contract or the utilization of existing contracts for construction of catch basins at various locations in the City of Pittsburgh, and providing for the payment of the costs thereof.

Also

No. 3164 Resolution providing for the Acquisition of certain property from Gulf Oil Co. as a gift in lieu of condemnation for street widening of Forbes Avenue at the intersection of Forbes Avenue and Murray Avenue in the 14th Ward of the City of Pittsburgh and providing for the relocation of certain physical facilities of the Gulf Oil Co. owner of the aforesaid property, and providing for the payment of the related costs thereof.

Also

No. 3165 Resolution taking, appropriating and condemning by the City of

Pittsburgh, for public sewer easement purposes, certain property of Dorothy M. Reynolds; William Vernon Hunter and Elizabeth J. Hunter, his wife; Leonard L. Coppola, Jr. and Patricia A. Coppola, his wife; Wayne R. Marlett; Albert T. Ferrari; Raymond C. Ward and Margaret I. Ward, his wife) R. G. Emanuel and Marie L. Emanuel, his wife; Anna M. Doerr Estate Michael T. Stanley and Peggy Jo Stanley, his wife; George S. Reynolds and Dorothy M. Reynolds, his wife; Donald M. Melzer and Karen A. Melzer, his wife; Walter Foster and Marie Foster, his wife; Nick James Brack and Elsie Brack, his wife; Alexander Lawson and Cynthia A. Lawson, his wife; Paul T. Moore and Bernadette Moore, his wife; Albert J. Dvorsky and Mary Dvorsky, his wife, and Mathias N. Miller, Mathilda Miller, his wife, and Louis Miller; situate on Mifflin Road and private property in the Thirty-First Ward of the City of Pittsburgh.

Also

No. 3166 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$28,770.20 for extra work in connection with Herron Avenue Bridge Phase I-Demolition, Controller's Contract No. 23434.

Which were severally read and referred to the Committee on Public Works.

Mr. Lally for Mr. Givens presented

No. 3167 An Ordinance providing for the designation of certain districts or structures within the City of Pittsburgh as being of Historic importance, regulating the reconstruction, exterior alteration, restoration, or demolition of individual structures, or structures within the districts so designated, and establishing a system of review wherein the city through its citizens can protect, maintain, and enhance the historic and architectural appearance and heritage of Pittsburgh. The effect of this ordinance shall be to repeal Ordinance No. 128 of 1971 and Ordinance No. 6 of 1972 and Ordinance No. 35 of 1977.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lally moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 3168 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof.

Also

No. 3169 Resolution providing for an Agreement or Agreements with Housing Opportunities, Inc., to provide financial counseling to purchasers of houses in the Homewood-Brushton House Sale, and providing for the payment of the cost thereof.

Also

No. 3170 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Supt. Imhoff to attend 64th Annual Code Changes and Educational Conference of Building Officials and Code Administrators International and Meeting of Association of Major City Building Officials, June 23-30, 1979, Norfolk, VA, at cost not to exceed \$775.00, payable from Code Account 1376, Miscellaneous Services, Bureau of Building Inspection, Department of Housing.

Also

No. 3171 Communication from Paul C. Brophy, Director of Housing, requesting permission for Rachel Meyers, to attend National Leased Housing Association Meeting, June 14-15, 1979, Washington, D.C.

at cost not to exceed \$520.00, payable from the 1978 Community Development Block Grant Trust Fund, Housing Department, CDHD (HD-78-13).

Also

No. 3172 Communication from Paul C. Brophy, Director of Housing, requesting permission to attend HUD Urban Development Action Grant Program Meeting, May 14, 1979, Washington, D.C., at cost not to exceed \$125.00, payable from the 1978 Community Development Block Grant Trust Fund, Housing Department, CDHD (HD-78-13).

Also

No. 3173 Communication from Paul C. Brophy, Director of Department of Housing, submitting Report of Mayor's Task Force on Zoning Enforcement.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3174 Resolution providing for an Architectural and/or Engineering Agreement or Agreements and a contract or contracts in connection with construction at Buhl Planetarium and providing for the payment of the cost thereof.

Also

No. 3175 Resolution providing for a Supplemental Agreement with the County of Allegheny and the School District of Pittsburgh authorizing the Director of the Department of Lands and Buildings, in reference to any properties located in the City of Pittsburgh and owned by the three taxing bodies, to serve as the Agent for the County of Allegheny and the School District of Pittsburgh, in preparing, executing, presenting and recording any and all documents necessary to adopt plans of lots and make any reasonable dedication, if necessary, in accordance with the applicable subdivision ordinances of the City of Pittsburgh.

Also

No. 3176 Resolution repealing Resolution No. 215, approved 3/3/78, property in the 8th Ward on Lorigan Street, Block 26-H, Lots 93-95-96 to Joseph Rasimczyk for \$850.00. City does not have marketable title to 26-H-93 as description of said plan and name of owner incorrectly taken. Hand money of \$100.00 to be returned to the Department of Lands and Buildings.

Also

No. 3177 Resolution repealing Resolution No. 650 approved 8/9/76, which amended Resolution No. 252, approved 4/26/76 for the sale of property in the 19th Ward on Meridan Avenue, Block 6-M, Lot 58, to M.J. and Donna C. Marasco for \$450.00 who later transferred by an assignment to Gerald C. and Beatrice Rotthoff who have not complied with the agreement and their hand money of \$100.00 is to be forfeited. forfeited.

Also

No. 3178 Resolution authorizing the sale of property in the 18th Ward of the City of Pittsburgh located on Bailey Avenue, designated as Block 4-M, Lot 147 to Thomas W. Lampl for the sum of \$900.00.

Also

No. 3179 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act. No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3180 Resolution amending Resolution No. 1072, approved October 2, 1978, entitled: "Providing for a contract or contracts for the purchase and installation of valves in various locations and providing for the payment of the cost thereof." by increasing the appropriations.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3181 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Northgate Recreation Facility Project, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Northgate Recreation Facility Project, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures.

Also

No. 3182 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Brookline and Paulson Pools Project, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Brookline and Paulson Pools Project, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures.

Also

No. 3183 Communication from Louise R. Brown, Director of Parks and Recreation, requesting permission for Kevin Silson, to attend Department of Interior, Heritage Conservation and Recreation Service Conference, April 24-25, 1979, Philadelphia, PA., at cost not to exceed \$265.00, payable from Code 1801, Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3184 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one air cooled process cooling system for a mini-computer

for the Department of Police, and for the payment thereof.

Also

No. 3185 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 22 picnic tables for the Zoological Park Commission, and for the payment thereof.

Also

No. 3186 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Playground Equipment (basketball pole and backstop, portable volleyball posts, and slash proof belt seats for swings, etc.), for the Department of Parks and Recreation, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 3187 Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$8,600,000 to be represented by Notes issued in anticipation of the issuance of General Obligation Bonds in said amount, establishing the useful lives of projects, accepting proposals, fixing the interest rates and maturity dates of the Notes, stating sources of repayment of the Notes, authorizing deposits into the City's sinking fund, directing the filing of documentation with the Department of Community Affairs, convenanting that the Notes will not become arbitrage Bonds, establishing the form of Notes, and repealing inconsistent Resolutions and Ordinances.

Also

No. 3188 Resolution amending a portion of Resolution No. 269 approved March 29, 1979 entitled "Providing for an Agreement or Agreements with Bethany House Ministry, Better Business Bureau of Western Pennsylvania, Inc., Brashear Association, Inc., Carnegie-Mellon University, Community Human Services Corporation, East End Cooperative Ministry, Home for Crippled Children, Lutheran Services Society of

Western Pennsylvania, Mattress Factory, Ltd., Nineteen Inc., PARCWAY Industries, Pittsburgh Free Clinic, Inc., Pittsburgh Regional Library Center, School District of Pittsburgh, South Oakland Citizens Council, Theatre Express, University of Pittsburgh, Women in Urban Crisis, Inc., and Pittsburgh History and Landmark Foundation for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Also

No. 3189 Resolution amending a portion of Resolution No. 374 approved April 25, 1979, entitled "Providing for an Agreement or Agreements with ACTION-Housing, Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Council on Three Rivers American Indian Center, Inc., Elder-ado, Golden Triangle Association, Greater Pittsburgh Camp Fire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, Northside Civic Development Council, Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, South Oakland Citizens Council, Theatre Express, United Jewish Federation of Greater Pittsburgh, Manchester Citizens Corporation, Young Men's Christian Association, and Youth City of Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the cost thereof."

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3190 Resolution providing for the issuance of a warrant to Carol Jean Walls, in the amount of \$50,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also

No. 3191 Communication from John E. McAllister, Manager City Information Systems, requesting permission to attend Western Pennsylvania Chapter Municipal Finance Officers Association Meeting, May 17, 1979, Pittsburgh, PA., at cost not to exceed \$12.50, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also

No. 3192 Communication from Mayor Caliguiri, requesting permission for Kenneth Fields, Fiscal Officer, to attend Western Pennsylvania Chapter Municipal Finance Officers Association Meeting, May 17, 1979, Pittsburgh, PA., at cost not to exceed \$12.50, payable from Code Account 1017, Miscellaneous Services, Mayor's Officer.

Also

No. 3193 Communication from David L. Donahoe, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

The Chair:

Mr. Stone is in Detroit today attending the Southwestern Pennsylvania Regional Planning Commission Conference. He requests that the sale of Notes be approved. Thank you.

Mr. Masloff for Mr. Stone presented

No. 3194 Report of the Committee on Finance for May 2, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3078

A Resolution entitled, "Resolution transferring the sum of \$2,000.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation."

Which was read.

Michelle Madoff:

On Bill No. 3078, if Mr. Perry would take a peek, the first bill, I asked two Members of Council, because I was pressed for time and didn't have a chance to check, as you know the bills arrive rolled up, at the house, on the weekend, nobody knew what the item was for.

I asked Mr. Bulls just now and it was for a recreation program on the North Side. . . it would be helpful if we knew what the item was. I, for a moment, thought it was a symphony, \$2,000.

Mr. Perry:

Well, this is a companion bill to one in Parks and Recreation.

Michelle Madoff:

Yes, but I just say, it would be very helpful if it said, just a little blurb, "recreation program - North Side", just to give us some indication of what it is so we don't just deal in code numbers because it gets very confusing. We just voted on a \$2,000 item, as you know, for the symphony, and we mistook it for that.

Mr. Robinson:

Mr. President, as a point of clarification, I believe that in each instance where we have a transferring of funds, such as the one that is presently under consideration, there are two bills, the first bill, as an example, would take the money out of Code Account 42 and place it into 1838. That is a separate bill, then

the next bill would authorize the money to be spent, which is in Code Account 1838. So, the first bill does not tell you what it is going to be used for later on, it tells you that a transfer is being made. The second bill, which comes up under the appropriate committee, in this instance, the first bill came up Finance, the second bill came under Parks and Recreation. That may be where there is some confusion.

Michelle Madoff:

What I am saying. . .this is Parks and Recreation, Bill, I would just like a little blurb, "North Side recreation", just to clarify the fact that it wasn't \$2,000 for symphonies.

Mr. Robinson:

It was my understanding in the second piece of legislation, it did identify what it was going to be spent for.

Michelle Madoff:

Well, its right here and there is nothing on this one and it makes it easier if we have just three words to clarify.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3095

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to Domino, Incorporated, in conjunction with the construction of the Frick Park Nature Center, Controller's No. 22794, and reducing the retained percentage from ten (10%) percent to one (1%) percent."

Which was read.

Also,

Bill No. 3101

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pc Laboratory in the aggregate amount of \$501.00 for professional services rendered for the benefit of the City in connection with physical examinations administered to Police Officer and Fire Fighter applicants without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3102

A Resolution entitled, "Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$12,650.00 from CETA Trust Fund, federal funds, to Community Economic Development Program Trust Fund, CEDP-TF to pay a portion of costs of a study designed to determine the demand and supply of skilled construction craftsmen in the Pittsburgh area."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 6 Noes 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3103

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes None

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 3141

A Resolution entitled, "Resolution authorizing the solicitation of proposals for \$8,500,000, Principal Amount, General Obligation Bond Anticipation Notes of 1979, Series B, providing for the payment of the expenses of such sale and repealing inconsistent resolution."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

I will be voting no on Bill No. 3141 for reasons that I have previously stated, that there is \$13 Million unencumbered, there is no reason to be borrowing money where we have money available. I am sure that we can figure out a bookkeeping system that keeps records.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale (pres't)

Ayes 6 Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3195 Report of the Committee on Public Works for May 2, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3082

A Resolution entitled, "Resolution vacating Walker Street from Wolfendale Street to a point 128.99 feet southwardly and the northerly 8-foot portion of Boyce Street from Sproat Way to the easterly line of Walker Street in the Twenty-First Ward of the City of Pittsburgh, excepting and reserving an easement for the 6-inch waterline and the 36-inch sewer line located in Walker Street."

Which was read.

Also,

Bill No. 3096

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with a Cable Communication System for the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3097

A Resolution entitled, "Resolution requesting a performance audit on the City of Pittsburgh's Animal Control Program, Dog Court and Contractual Relations with the Animal Rescue League."

Which was read.

The Chair:

Is here any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally for Mr. Givens presented

No. 3196 Report of the Committee on Planning, Housing and Development for May 2, 1979, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2838

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 12 by changing from 'R-3' Multiple-Family Residence District to 'M4' Heavy Industrial District all that cer-

tain property bounded by: Wharton Street; the 'M4' Heavy Industrial Zoning District boundary line east of South Nineteenth Street and north of Wharton Street; and Lot Numbered 13, Block 12-F in the Allegheny County Block and Lot System, 17th Ward." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The Ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3087

A Resolution entitled, "Resolution authorizing a contract or contracts with Carnegie-Mellon University to conduct a study of labor demand and supply within the construction industry in the City of Pittsburgh" (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Bulls:

I am voting no on Bill No. 3087 and I would like my remarks from the meeting of Wednesday, May 2, 1979 incorporated into the minutes.

MR. BULLS' REMARKS FROM THE MEETING OF WEDNESDAY, MAY 2, 1979:

Mr. Bulls:

What about the unemployed? When we start talking about people going out and doing different things, we go back to the study that the University of Pittsburgh did. They only did certain areas, they wanted to go and talk to certain people. Okay, when you start talking about people getting into certain unions, if you don't go to certain places to find these people, you're not going to get them in the union.

I just have a problem without the unions being up front in this thing, and I have problems with Carnegie Mellon trying to find out what is in the ranks of the unemployment.

I would like to have someone from Carnegie Mellon and perhaps someone from the street, that this Council would like to come in and talk about this type of training, this type of thing. I've just got all kinds of problems with this.

One other thing, when we make reference to the Pittsburgh Plant and other things too, I don't think in certain areas that was met with a large deal of success, especially in the minority communities. If you look at the numbers they aren't there.

I could go into a lot of things but I won't.

Mr. Stone:

I think you are suggesting, if I am reading you right Mr. Bulls, it needs some participation from those hardcore areas.

Mr. Bulls:

I can't visualize, and maybe I'm wrong, if so tell me, I can't visualize certain people from CMU going into the pool rooms, going into the bars, and other things, to get data for a study.

Mr. Stone:

I think, if I'm reading him correctly what he is saying is that we need some sour-

ce in the community who are dealing with the hardcore unemployed to try to get them involved with the movement in addition to the other things, I don't think he is saying to substitute one for the other, but rather an input level from there and I think that if we are not getting into a segment where there is a great deal of unemployment then his point is well taken. It is a matter of getting some input from them.

Mr. Bulls:

For once, can't we find out what the people want to do. Why do they always have to come down from someplace. . . come down from the University of Pittsburgh, come down from Carnegie Mellon. . . why can't we one time come up from the people. That is the only think I am saying, you know I get tired of a guy coming in a three piece suit, saying, "this is what's good for you". Why don't we start a program, why don't we appropriate some money for some studies and go right to the people with them, we'll get away from all those big buildings and go straight to the people and find out what they want. Then, maybe we might be on our way for one time.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Lally
Michelle Madoff
Mrs. Masloff**

**Mr. Robinson
Mr. DePasquale
(Pres't)**

Ayes 5

Noes 2

**(MR. BULLS AND
MR. COYNE VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3197 Report of the Committee on Supplies for May 2, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2998

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Six (6) Paving Breakers for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 2999

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Six (6) Clay Diggers for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 3000

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Four (4) Partner K-12 cutting saws for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 3038

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of two For Wheel Commercial Mowing Tractors for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 3098

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of six Two Wheel Tractors for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 3099

A Resolution entitled, "Resolution requesting performance audits on the Department of Supplies, and other City of Pittsburgh Departments."

Which was read.

The Chair :

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 3198 Report of the Committee on Water for May 2, 1979, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3091

A Resolution entitled, "Resolution providing for a Contract or Contracts for the rehabilitation of various water tanks and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, I have been informed by Mr. Albert that we do not have the dollars, we cannot spend them, they are supposed to be transferred from URA and \$75,000 as is on another bill. . .we can approve it, but we cannot spend it until the money is transferred.

The Chair ::

Do you want to recommit it?

Michelle Madoff:

I was told that we can go ahead and approve it and when the money is transferred we can use it.

Also,

Bill No. 3092

A Resolution entitled, "Resolution providing for an agreement with the Municipal Authority of the Borough of West View Water Department West View Borough, providing for the installation of a 12" water line and appurtenances, together with the 12" gate valve and a meter connected to the City of Pittsburgh's 12" water main at West Carson Street near Stanhope Street, 20th Ward."

Which was read.

The Chair :

Is there any discussion on the bills?

And on the question, "Shall the bills passed finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 3199 Report of the Committee on Parks and Recreation for May 2, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3079

A Resolution entitled, "Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Greater North Side Athletic Association for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof."

Which was read.

Bill No. 3137

A Resolution entitled, "Resolution providing for a lease from Western Pennsylvania Water Company of certain property on Becks Run Road, 29th Ward, for a term of six months at a rental of One Dollar for recreational purposes; and providing for a sublease to the Carrick Community Association for recreational purposes."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 3200 Report of the Committee on Public Safety for May 2, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3080

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commission on Crime and Delinquency for a grant in connection with Emergency Street Phone Network Project Phase II; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Emergency Street Phone Network Project; Phase II;; providing for required assurances; providing for execution o payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3201 Report of the Committee on Lands and Buildings for May 2, 1979 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3086

An Ordinance entitled, "An Ordinance directing the Department of Lands and Buildings to conduct vacant lot cleanup drives twice a year, in the Spring and Fall."

Which was read.

Mr. Robinson:

Mr. President, on Bill No. 3086, I shared with the Members of Council a memo dated May 2, 1979, where I proposed two amendments to this particular bill. If I might, I'd like to read the memo which gives my rationale for wanting to amend and then I will identify those sections.

"I respectfully request the cooperation and assistance in including a Section 2 and a Section 3 to the attached ordinance, contents of which are drafted. The purpose of this amendment s to provide the opportunity for community groups and organizations to work cooperatively with City government

and to assign some of the burden for keeping our City clean to those most directly affected. Also, I anticipate the utilization of community development funds in any City-wide clean up effort and most definitely in those community development areas contain city owned property."

Section 2 would read, "the Department of Lands and Buildings shall also conduct vacant lot clean up drives throughout the year in conjunction and in cooperation with community organizations and other authorized agencies."

Section 3 would read, "the Department of Lands and Buildings shall be authorized to contract for lot clean up services."

The present Section 2 would become Section 4.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Lally:

The cost of that bill is coming from the 10% I presume, is that right?

Mr. Robinson:

What I am anticipating is that the Department would be able to take community development funds in addition to the funds that they already have for demolition, and contract with community development groups, literally assign community groups to clean up certain City properties under contractual relationships.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the bill pass finally as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 3090

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, I just have two items I would like to share with Council. One relates

to the Public Auditorium Authority of Pittsburgh and Allegheny County, of which I am a member. Some time ago, the Auditorium Authority requested Council's assistance in procuring roughly \$250,000 to renovate the "A" seating, which is the best seating at the Civic Arena. Subsequent to that time, some negotiations and discussions have been held with the County Commissioners and with the Mayor's Office and the Mayor did forward a letter indicating that he would be willing to provide \$125,000 in next year's budget. The County Commissioners have also indicated that they are willing to do the same, so the \$250,000 is going to be available in next year's budget for the County and for the City and I would encourage the Members of Council that when it is budget time, to give serious and favorable consideration to the request.

The Chair:

I was under the impression that we could do that now, Bill, but you say we have to wait until the next budget.

Mr. Robinson:

In talking with the Mayor, he felt more disposed to include it in next year's budget than to try to make any adjustment now.

The Chair:

Well, then we are talking about six months or so.

Mr. Robinson:

The second matter relates to utilities. As I have mentioned before, many of the groups and organizations that have approached Council have been very much concerned about the utility problem and while our ability to help them is limited, there are a couple significant things that we have been able to do, notably, the activities of Mr. Marvin Fine, one of our Assistant City Solicitors who specializes in utilities.

I would like to request that Council encourage the City Solicitor's Office to explore ways in which we can become party to a lawsuit in the City of Cleveland, where our own Duquesne Light is the defendant and it has to do with rate structure, etc., and will

have a telling impact upon Duquesne Light's operation elsewhere in the United States.

Mr. Fine is aware of the case, I have shared some comments with him and he felt that our intervention, perhaps, would be very helpful to some of the people here in this area who are trying to identify ways in which we can work out a more reasonable relationship with our utilities.

The Chair:

Thank you Mr. Robinson.

Mr. Lally moved to excuse Mr. Givens

and Mr. Stone for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, April 30, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Robinson

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, May 14, 1979

No. 21

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, May 14, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls Presented

No. 3202 Communication from Thomas Kennelly, Chief, Department of Fire requesting permission for Captain Norman F. Sanner, Lt. Norman Lockard and Fire Inspector Robert Friel to attend Life Safety Code 101 Seminar, Atlanta, Georgia, June 25-28, 1979, at cost not to exceed \$600.00 each,

payable from Code Account 1463-1, Educational and Traveling Expenses, Department of Fire; and repealing Council Bill No. 2895 of 1979.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3203 Resolution providing for a Contract or Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recuring and other work incidental thereto, PW-79-01, and providing for payment thereof.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3204 Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Twenty Three Thousand Seven Hundred (\$23,700.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3205 Resolution vacating Exchange Way between Tenth Street and Eleventh Street in the Second Ward of the City of Pittsburgh, abandoning the 10-inch waterline and the 18-inch sewer line located therein.

Also

No. 3206 Resolution accepting the Dedications of Property for the widening of Tenth Street between Penn Avenue and Liberty Avenue; and Eleventh Street between Penn Avenue and Liberty Avenue in the Second Ward of the City of Pittsburgh.

Also

No. 3207 Resolution further amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, as amended by Resolution No. 189, approved February 26, 1979, effective March 1, 1979, entitled: "Resolution providing for the letting of a contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof", by increasing the total allocation from \$456,162.41 to \$556,162.41.

Also

No. 3208 Resolution further amending Resolution No. 1067, approved October 2, 1978, effective October 4, 1978, as amended by Resolution No. 188, approved March 4, 1979, effective March 6, 1979, entitled: "Resolution aproviding for a Contract or Contracts for the reconstruction of the Greenfield Bridge over the Penn Lincoln Parkway, PW 77-16, providing for the payment of the costs thereof, and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing the maximum authorized amount from \$2,003,000.00 to \$2,118,800.00; and providing for the payment thereof.

Also

No. 3209 Resolution further amending

Resolution No. 940, effective October 11, 1977, as amended by Resolution No. 457, effective May 11, 1978, entitled: "Providing for a Contract or Contracts with a Consultant or Consultants for Professional Services in conjunction with the inspection and/or design for the rehabilitation of various City bridges (PW 76-23 and PW 77-15)", by increasing the authorized amount from Two Hundred Twenty Five Thousand (\$225,000.00) Dollars to Two Hundred Forty Four Thousand Five Hundred (\$244,500.00) Dollars.

Also

No. 3210 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$10,000.00 for purchase of materials in connection with rehabilitation of Troy Hill Road, Controller's Contract No. 23105.

Also

No. 3211 Petition from Carrie W. Washington, Executive Director, Operation Better Block, Inc., requesting a hearing with City Council to discuss a change in the system as it relates to street cleaning; also to discuss the possibility of reinstituting the PA-PITT Clean Up Program.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3212 Resolution amending Resolution No. 1549 of 1978, as amended by Resolution No. 251 of 1979, providing for the filing of an Application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program, so as to delete HD-79-11, PA-79-01, and PA-79-05, Previously Authorized Funds (PAF) from the 1979 budget; and further, to specify Salaries and Administrative Costs in line items HD-79-08 and CP-79-01; and further, to add a new line item, HD-79-17, "Manchester Swimming Pool" (\$300,000); and further, to decrease line item HD-79-01, "Home Improvement Loan Program", from \$4,250,000.00 to \$4,000,000.00; and further, to increase line item HD-79-07, "Housing Coun-

seling Services", from \$170,000.00 to \$230,000.00; and further, to increase line item HD-79-16, "Neighborhood Development Offices", from \$150,000.00 to \$330,000.00; and further, to decrease HD-79-18, "Great House Sale", from \$150,000.00 to \$100,000.00; and further, to add a new line item, HD-79-19, "North Side UDAG - Relocation" (\$340,000); and further, to increase line item DCD-79-02, "Neighborhood Commercial Improvement Program", from \$250,000.00 to \$890,000.00; and further, to increase CP-79-10, "Zoning Ordinance Review", from \$30,000.00 to \$50,000.00; and further, to decrease CP-79-02, "Citizen Participation and Information, from \$125,000.00 to \$122,000.00; and further, to reflect an increase in the overall Grant amount from \$23,445,000.00 to \$24,682,000.00.

Also

No. 3213 Resolution providing for an Agreement or Agreements with Detwiler Associates for architectural services in connection with the Innovative Grant-Residential Clubs Program.

Also

No. 3214 Resolution providing for an Agreement or Agreements with a professional stenographic reporting service or services in connection with hearings of the Zoning Board of Adjustment, and providing for the payment of the costs thereof.

Also

No. 3215 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Darlene Simpson for the sale of Parcel 88 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3216 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alvin J. Owens and Henrietta d. Owens for the sale of Parcel 98 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3217 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rene C. Hill for the sale of Parcel 68A in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also

3218 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David J. Mistick and Mary Jane K. Mistick for the sale of Parcel 242 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3219 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Neighborhood Housing Services, Inc., for the sale of Block 23E Lot 220 and Block 23F Lots 441 and 414 in the Twenty-First Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also

No. 3220 Petition from residents of the 3600 block of Penn Avenue requesting a traffic light at 36th and Penn Avenue for the safety of many pedestrians and motor vehicles that use this intersection.

Which was read and referred to the Committee on Public Works.

Mr. Lally presented

No. 3221 Resolution Repealing Item (G) of Resolution No. 346, approved 4/12/79 for the sale of property in the 19th Ward on Alverado Street to Steven F. & Martha J. Ackerman for the sum of \$150.00. Purchaser requests cancellation due to financial difficulty. Hand money of \$150.00 to be returned by the Department of Lands and Buildings.

Also

No. 3222 Resolution amending Res. #1584, approved 1/3/79 for property in the 29th and 32nd Wards to Thomas R. Williams & Catherine J. Williams, his wife, for the sum of \$350.00. Amending to delete last parcel being "Lot 25 x 80" and also change the sale price from \$350.00 to \$250.00. All else in Resolution No. 1584 shall remain the same and in effect.

Also

No. 3223 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act. No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3224 Resolution providing for a contract or contracts for the purchase and installation of fire hydrants and providing for the payment thereof.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3225 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$1,844.08 for extra work in connection with renovation of Phipps Conservatory.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3226 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 3 correcting electric typewriters for the Department of City Planning and for the payment thereof.

Also

No. 3227 Resolution providing for the let-

ting of a contract or contracts for the furnishing and delivery of 3 high power portable frequency modulated radios for the Department of Water, and for the payment thereof.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3228 Resolution providing for a Cooperation Agreement or Cooperation Agreements with the Housing Authority of the City of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also

No. 3229 Resolution providing for an Agreement or Agreements with Allegheny Children and Youth Service Council, Inc., Allegheny Presbyterian Center—Community House, American Civil Liberties Union, Brookline Area Community Council, Inc.—Senior Citizen Center, Carnegie-Mellon University, Central Northside Neighborhood Council, Community Action Pittsburgh, Inc., Concerned Mothers of Terrace Village, Inc., Creative Recycling Center, East End Cooperative Ministry, Epilepsy Foundation of America—Allegheny Chapter, Hill House Association, Job Advisory Service, Kay and Shadyside Boys' Club, Kingsley Association, Penn Circle Community High School, Pennsylvania Alliance for Jobs and Energy, National Association for the Education of Young Children, Pittsburgh Council on Public Education, Pittsburgh Free Clinic, Inc., Pittsburgh History and Landmarks Foundation, Project H.O.P.E., Selma Burke Art Center, United Mental Health, Inc., University and City Ministries, Welfare Rights Organization of Allegheny County, and Young Men's Christian Association for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which were read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only

until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3230 Resolution providing for the issuance of a warrant to Ronald Reckhart and Eileen Reckhart, his wife, in the amount of \$10,000.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 3231 Resolution providing for the issuance of a warrant to Irene Young in the amount of \$1,401.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 3232 Resolution transferring the aggregate sum of One Million One Hundred Fifty-Five Thousand Dollars (\$1,155,000.00) from Bond Fund 227, General Obligation Bonds of 1973, Series "A" to various 1979 Capital Project Accounts subject to reimbursement to said Bond Fund upon the receipt of proceeds from the permanent financing of the 1979 Capital Budget.

Also

No. 3233 Resolution transferring the sum of \$2,500 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation.

Also

No. 3234 Resolution further amending Exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective August 31, 1978, as amended by Resolution No. 1254, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31,

1978, entitled "A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds"; by increasing the total 1978 allocation of PW 78-17, Signals, by \$52,711.52; and providing for the payment of the cost thereof.

Also

No. 3235 Resolution providing for an Agreement or Agreements with Urban Revitalization-Pittsburgh Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also

No. 3236 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Susan Carr and Carl Rectenwald, to attend a fiscal and management information system seminar, Washington, D.C., May 30-31, 1979, at cost not to exceed \$400.00, payable from EOPP Trust Fund.

Also

No. 3237 Communication from Chas. W. Strong, Exec. Director, Public Auditorium Authority of Allegheny County submitting proposed budget for the Civic Arena for the fiscal year July 1, 1979 to June 30, 1980.

Also

No. 3258 Communication from John E. McGrady, requesting interim approval of a Wallace Act for extra work for carpeting in Controller's Contract #23817, amount not to exceed \$700.00, chargeable to and payable from Code Account 1051, Department City Controller.

Which were severally read and referred to the Committee on Finance.

Also

No. 3239 Resolution providing for an agreement or agreements, or use of existing agreements, for personal and professional

services and for a contract or contracts, or use of existing contracts with Robert Morris College of Pittsburgh in connection with this College's 1979 Pittsburgh Folk Festival Program, for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof.

Which was read and referred to the Committee on Parks and Recreation.

The Chair:

I'd like to mention that Mr. Robinson won the Disco Contest at Wilson's on Friday night.

Mr. Robinson:

My handle on that is "Disco Daddy."

The Chair:

Before we begin, we have some people here from Northumberland Street, who would like us to bring their ordinance up first, so Planning, Housing and Development will be the first Committee we will present and the City Clerk will then put it in the proper order.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3240 Report of the Committee on Finance for May 9, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3115

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Parkway Service Station, 910 Saw Mill Run Boulevard, Pittsburgh, Pennsylvania 15220, in the amount of \$1,423.50, in payment for emergency tire and chain services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3118

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of the following members of the Department of Public Works for financial replacement of items stolen from City premises and providing for the payment thereof."

Which was read.

Also,

Bill No. 3125

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Crown Wrckng Co., Inc., 276 Ringold Ave., Pittsburgh, PA 15205, in the amount of \$66,875.00 in payment for demolition of buildings located at 1102 Chestnut Street, Rear 1102 Chestnut Street and 922-24-26-30-32 Spring Garden Avenue, furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

Mr. Givens:

On Bill No. 3125, the demolition of buildings for the fire house that will be going up there, that is the area in which they located the subterranean storage vaults. I have a concern there, only that they have found them and if they are opened, that this area be secured in such a way that nobody can get into them, such as children.

Mr. Stone:

That is why this bill is coming through, so they keep moving. They are in the process of ripping it down not, we want to give them money so that they can continue.

Mr. Givens:

Yes, but I don't think that anybody knows the extent of . . .

Mr. Stone:

They're going to find out by ripping it

apart, they are going through the whole thing . . . one of the cranes fell through.

You've got to do it this way Dick, for the safety factors, plus we have got to get it done.

Also,

Bill No. 3139

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$15,309.77 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3140

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$11,038.60 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill Nos. 3139 and 3140, I would respectfully ask that Mr. Perry get some kind of a figure from the Water Department. John Miller had mentioned that he was running shot on chemical money and I want to know what the status is and I think Council ought to be advised.

Also,

Bill No. 3142

A Resolution entitled "Resolution authorizing issuance of a warrant in favor of

Carl Podgorski in the sum of \$802.47 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3143

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Ronald L. and Margot Ernharth in the sum of \$585.33 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3144 A Resolution entitled, "Resolution providing for the issuance of a warrant to Carol Ann Regan and Donald W. Regan in the amount of \$2,500.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 3145

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Burroughs Corporation, P.O. Box 910, Rochester, New York, 14603 in the amount of \$412.00 for payment of repairs to the check writing machine in the City Controller's Office."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3146

A Resolution entitled, "Resolution amending a portion of Page S-55 of Resolution No. 1588 of 1978 as amended by Resolution No. 121 of 1979 entitled, 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions,' by correcting the rate of pay for Graded Detectives in the Department of Police."

Which was read.

Also,

Bill No. 3147

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh and the Education Programs Diocesan School Board of Pittsburgh, Inc., effective May 1, 1979, for the implementation of the City Youth Employment Program and providing for the payment of the costs thereof."

Which was read.

Mr. Bulls:

Mr. President, I would like to express my concerns on Bill No. 3147, this is regarding the Summer Youth Program, again, I would like to ask Council to assist me in seeing that the Administration will try to put

young men and women in productive positions in the summer, instead of some type of makeshift program, positions where they can be responsible, where they can learn things, such as the identification department, or in the accounting department, and just not have a makeshift summer program.

Michelle Madoff:

Mr. Bulls, didn't we speak about having an order come from either the Mayor's Office or from Council to the Department heads, asking they make that mandatory that somebody in the Department be assigned to take the responsibility to train somebody in a special field where they get some workable skills? I agree with you completely.

Mr. Coyne:

Mr. President, I think what Councilman Bulls is saying is that there ought to be, I take his remarks to be that there ought to be more productive work for the people who are assigned during the summer work programs so that when they leave those jobs they are able to take something with them.

Michelle Madoff:

Mr. Coyne, what happened was that we were told by Melanie Smith that the Departments are unwilling because they are unable, they just don't have the staff to spare, what I am saying is that is not an acceptable answer. . . find the people, make sure that someone will take the responsibility of being mandated, either by the Mayor's Office, or perhaps by Council if we have that authority.

Mr. Coyne:

Well, I think a perfect violation of some of this being abused is the current program in the downtown section where we have turned over 35 federally paid employees to the downtown businessmen to virtually clean up their sidewalks. Now, what about the rest of the City, what are those children or teenagers going to take away from that project where they are turned over to the

businessmen in the downtown section, simply to clean up their sidewalks.

Michelle Madoff:

I think it goes beyond that, I would like to see an extension of a program we have in the Mayor's Service Center where Mary Beth Salley is doing a phenomenal job of training people to really learn how to deal with the public and really be able to get a job afterwards. I wouldn't object to putting five more people in that office if she would be willing to take on that responsibility. But, why put the burden only on her, why not have other department heads told that they must assign some skilled staff or people who will be willing to take on the responsibility of having people come away with some skill, some ability to learn a living.

The Chair:

You know, it goes a step further, we've been talking for years about them employing all children from 16 through the college years, and it seems that we just can't seem to do it. I think the resources are there, the funds are there, for some reason the City is reluctant to do it and also the County. And it is a tragedy because it would keep these kids off the streets and give them a few dollars in their pockets and keep them out of trouble. But, we can talk about it until we are blue in the face and it just seems the proper authorities won't do a thing about it.

Michelle Madoff:

Mr. President, I think the point should be made that we just shouldn't verbalize about it but can't we take some action from Council. Can a letter be sent to the Mayor's Office and to the Department heads asking that they assign somebody to take on an apprentice in each Department or two so that we will say we just didn't verbalize about it, we just didn't complain, but something will happen.

The Chair:

We have these programs every year and millionaires kids go to work and poor kids don't go to work and they say its a fair

program, so, you know, there just is no fair program.

Michelle Madoff:

Can I make that a motion, that a letter be sent from Council to the Mayor and to the Department heads asking that they assign one or two staff people to actually train at least one or two people in the Department to be able to have some skills when they leave at the end of the summer?

The Chair:

Yes, do we have a second to the motion?

Mr. Bulls seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3187

A Resolution entitled, "Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of

\$8,600,000 to be represented by notes issued in anticipation of the issuance of General Obligation Bonds in said amount, establishing the useful lives of projects, accepting proposals, fixing the interest rates and maturity dates of the notes, stating sources of repayment of the notes, authorizing deposits into the City's Sinking Fund, directing the filing of documentation with the Department of Community Affairs, covenanteeing that the notes will not become arbitrage bonds, establishing the form of notes, ordinances." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Stone:

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date of Bill No. 3187 shall be the date on which it is signed by the Mayor.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, on Bill 3187, I want to reiterate that I am opposed to the bill, not because I don't want to get started on projects that are ready to go, and I realize that inflation will double the cost, but I think it is a horrible situation when we have to go out and borrow the money when we have unencumbered funds sitting, we don't have money for Pa Pitt and the estimated interest on this loan will be very, very sizeable, I understand it is something like \$400,000, it is inexcusable that we were brought to this situation, I spoke to Ken Fields this morning and asked him why he didn't move quicker, he blamed it on Council saying that he tried to set up a meeting in November and was told that he should wait until after the budget, try again in January, and said the Finance Chairman was away, couldn't see anybody until February and couldn't get the accounting firm to move quicker. I had asked last year that we borrow the money and somehow set up some mechanism and reinstate the money from the projects in accounting for this year. I just don't believe

this is happening. We don't have money for Pa Pitt and a lot of other things and to borrow this kind of money is really irresponsible.

Mr. Stone:

Mr. President, if I may. I said two weeks ago, and I guess I have to repeat, even at the expense of being redundant, Councilwoman Madoff has a very easy way to find solutions because she doesn't understand the problems.

First of all, if she understood it better, she would understand that Council was aware that monies needed to be done for these projects. These projects were supposed to be in the Capital Improvement Bond Project. We authorized it to be done before April 1 of 1979. That was labled in the Capital Improvement Budget to be paid for by bonds and the notes. That is what Ken Fields asked for in the past and we gave it exactly with one problem. . . we put an earlier date because we felt those projects should be done in 1979 and not in 1980, 1981 and 1982, some four or five years hence.

There has been no request from Ken Fields for a meeting, so that there be no question about that at this particular time or any other time.

My credibility stands up against his anytime, as far as I personally am concerned, I have indicated time and time again and I've told the Mayor about it.

As far as that particular Fiscal Officer is concerned, we don't wish him to be a Department of Public Assistance recipient, we hope that New York can use him, give him \$20,000 more, just get the heck out of here, because I think this City somewhere would be better without him. If it weren't for the fact that Dave Donahoe came on the scene, this City would be in very bad fiscal condition at this present time.

As I said, those people who can find solutions without even knowing the problem, that is easy for them, but if they are going to quote people, they ought to quote people, number one, who are credible, number two are capable and number three they ought to

be looking for a different horse, namely Mr. Donahoe who seems to be pulling this City in a direction we ought to be going.

Michelle Madoff:

Mr. President, I spoke with Mr. Donahoe to be sure that I did understand, I spoke to Mr. Fields because I wanted to be sure I understood, and I spoke to Mr. Albert to be sure that I understood.

It seems that the consensus of opinion is that that money should have been borrowed from monies that were unencumbered and some kind of bookkeeping system arranged before the budget. For some reason, I was a novice and I will admit, at that point I did not understand how these things could have been done, I'm not placing the blame on Council, or on Mr. Stone, nor am I blaming it entirely on the Mayor's Office, but no matter how it happened, it is wrong, I do understand the problem, I did speak to the experts, I spoke to people who I think Council respects, certainly, Mr. Eddie Albert and I think this bill should be opposed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes 1

(MICHELLE MADOFF
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3188

A Resolution entitled, "Resolution amending a portion of Resolution No. 269 approved March 29, 1979 entitled, 'Providing for an Agreement or Agreements with Bethany House Ministry, Better Business Bureau of Western Pennsylvania, Inc., Brashear Association, Inc., Carnegie-Mellon University, Community Human Services Corporation, East End Cooperative Ministry, Home for Crippled Children, Lutheran Services Society of Western Pennsylvania, Mattress Factory, Ltd., Nineteen, Inc., PAR-CWAY Industries, Pittsburgh Free Clinic, Inc., Pittsburgh Regional Library Center, School District of Pittsburgh, South Oakland Citizens Council, Theatre Express, University of Pittsburgh, Women in Urban Crisis, Inc., and Pittsburgh History and Landmark Foundation for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President, in regard to Bill No. 3188, I will abstain from voting on this bill because of the Pittsburgh Free Clinic, I think the other organizations are very worthy in what they are doing.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

ONE ABSTAINING-MR. GIVENS

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3189

A Resolution entitled, "Resolution amending a portion of Resolution No. 374 approved April 25, 1979 entitled, 'Providing for an Agreement or Agreements with ACTION-Housing, Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Council on Three Rivers, American Indian Center, Inc., Elder-ado, Golden Triangle Association, Greater Pittsburgh Camp Fire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, Northside Civic Development Council Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, South Oakland Citizens Council, Theatre Express, United Jewish Federation of Greater Pittsburgh, Manchester Citizens Corporation, Young Men's Christian Association, and Youth City of Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof'."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3241 Report of the Committee on Planning, Housing and Development for May 9, 1979 transmitting one Ordinance to Council.

Which was read, received and filed.

Also, with a NEGATIVE recommendation,

Bill No. 2604

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 12 by changing from 'R1' One-Family Resident District to 'RP' Planned Residential Unit Development District all that certain property bounded by: Northumberland Street; Gladstone (southern division private) Road; Lot Numbered 56, Block 53-C in the Allegheny County Block and Lot System; Lots Numbered 280 and 251, Block 53-D in the aforesaid system; Forbes Avenue and Lots Numbered 160 and 205, Block 53-H in the aforesaid system, 14th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, I spoke with the residents

of Northumberland last week and they assure me that they do not wish to be instructionists, that they will be meeting with Mr. DeLuca and Mr. Brophy and other members of the City along with the proposed builders to see if something can be worked out with some input from them and of course, I will vote no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

AYES: NONE

NOES: NINE

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mrs. Masloff presented

No. 3242 Report of the Committee on Parks and Recreation for May 9, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3138

A Resolution entitled, "Resolution providing for a contract or contracts for the rehabilitation and installation of bituminous paving, concrete and fence at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3243 Report of the Committee on Lands and Buildings for May 9, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3131

A Resolution entitled, "Resolution providing for a contract or contracts for modernization of Elevator 'H', City-County Building - Capital Project LB 78-10, Public Buildings, Access by Handicapped; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, in regard to Bill No. 3131, now that we are into Renaissance II and the Market Square development of PPG, I wonder if we could address ourselves to expanding an ordinance or a City law so that all buildings that are built from here on in would be mandated to have provisions for the handicapped. I know we do it with federal buildings, buildings that have federal dollars, but, I believe, if I'm correct, that

PPG doesn't have to do it unless they want to, or the other buildings just are being built, and I think it is so terribly important . . . people just don't have access.

The Chair:

Well, I think you can make it a point to include that in the specs, but if you want to put it in the form of legislation, you will have to prepare it. . .

Michelle Madoff:

It might be something we can deal with when we are reviewing the new City Code . . . that we might want to put an amendment on the new City Code.

The Chair:

As I say, we should do it in the form of legislation and you can take that up with the City Clerk and enter it at the proper time.

Also,

Bill No. 3132

A Resolution entitled, "Resolution amending Resolution No. 98, approved February 13, 1979, effective February 16, 1979, entitled, 'Resolution providing for an Agreement or Agreements with the County of Allegheny for one-half share not to exceed \$125,000.00 in connection with Cornice Repairs and Cleaning, City-County Building; and providing for the payment of the costs thereof, 'by reducing the cost from \$125,000 to \$80,000.00.'"

Which was read.

Also,

Bill No. 3133

A Resolution repealing Resolution No. 1134, approved November 25, 1977, authorizing the sale of property in the 24th Ward being a 2 story frame house on 1809 Howard Street, Block 46-S, Lot 124 to Frank Feick for \$750.00. Hand money of \$100.00 to be forfeited.

Which was read.

Also,

Bill No. 3134

A Resolution repealing Resolution No. 734, Approved 8/10/77 which authorized the sale of property in the 26th Ward being a 2 story frame house on 2612 N. Charles Street, Block 46-E, Lot 75, to Future Associates for the sum of \$500.00. Hand money of \$100.00 to be forfeited as purchase has not complied to agreement of sale.

Which was read.

Also,

Bill No. 3135

A Resolution repealing Resolution No. 173, approved 22/28/79, which repealed Resolution No. 910, approved 10/4/77 for the sale of property in the 5th Ward on 2101 Webster Avenue, Block 10-J, Lot 275 to Smith Watkins Post #2, Legion of Guardsmen by deleting "Hand money in the amount of \$600.00 to be forfeited" and inserting in lieu thereof "Hand money to be refunded."

Which was read.

Also,

Bill No. 3136

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Laly	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

Bill No. 3243 WHEREAS, the Victory Gardens Theater of Chicago, Illinois will be presenting the production of "EAST LIBERTY, PA."; and

WHEREAS, the production does bring National attention to our City and was written by Allan Bates, who was born near the East Liberty area of our City; and

WHEREAS, this production celebrates the vitality of American life and focuses attention on basic American values; and

WHEREAS, Wednesday, May 16, 1979 at 8:00 P.M. the Victory Gardens Theater will present the Midwest premiere of "EAST LIBERTY, PA.".

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of the City of Pittsburgh, do hereby proclaim May 16, 1979 as Victory Gardens Theater, Chicago, Illinois - EAST LIBERTY, PA Day in the City of Pittsburgh, Pennsylvania.

Which was read.

Mr. Robinson moved for approval.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, Miss Audrey Reichbloom is here from the Pittsburgh Public Theater to accept this gold seal resolution which she will forward on to Chicago.

Mr. Givens:

Do we have a rating on that movie Bill?

Mr. Robinson:

Yes, it is PG.

Mr. Givens:

PG, thats what I like.

Mr. Givens:

Mr. President, I just have one point of order before we terminate today, and that is to form the City land use and control. . . that is the vacant lot committee and the Council of the City of Pittsburgh is to appoint a citizen from the City to that particular board. I would like if we could make recommendations to you Mr. President, to sit somebody on that board so that the board can convene and undertake the responsibility that was delegated and passed in an ordinance back in late November and early December, 1978.

That is the vacant lot review committee.

The Chair:

We'll do that next week.

Before I ask for approval of the minutes I just wanted to. . .

Michelle Madoff:

No, Mr. President, I have another item. .

The Chair:

I didn't ask for approval of the minutes, I wanted to say something if I may. . .

Michelle Madoff:

Before we ask for approval of the

minutes, are we finished with business, I have another item. . .

The Chair:

If I may get a word in, Michelle Madoff.

Reichbloom, who many of us know is very active in public relations work and also a close friend and I would like to welcome her, I was sort of surprised to see you here today, I'm glad you are interested in our business, dear.

Now, Michelle Madoff. . .

Michelle Madoff:

Mr. President, in November of last year, I convened a meeting of representatives of hospitals in this area, when it came to my attention that the hospitals did not have an emergency water plan for standby water in the event of either contamination or a water break and I was surprised to learn that two years ago, had Children's Hospital not had two major lines into the hospital, they would have had to evacuate because they did have a major break in one of their lines.

We had more than 20 people here at the meeting, it was a lengthy meeting, it was a technical meeting, it was not covered by the media, but I think it is important that the public know and we know that you don't always need to have an item or an ordinance or something to vote on to make something good happen for the City.

The other day, I received a guideline from Planning, by the Association of Hospitals, chaired by Mr. Jack Robinette, and I know that many Members of Council, I think the first job you get when you get on Council is the Water Department, and I distributed copies because there might be some really meaningful input from other members who have dealt with this problem previously, might want to review it before they come up with their final plan. I would like to point out that one of the items they are going to deal with is the backflow protection that was passed by Council before I got here, which is probably one of the most important items to protect the City from contamination

from disease, such as the episode that happened 40 years ago in Chicago where they traced a couple of hundred cases of polio to an episode of backflow contamination.

I feel very gratified that something is happening in that area and I would like to ask Mr. Perry, in line with this, at some date convenient to Council, to set up a hearing, and I don't think you could make it a Post Agenda hearing because it would be too lengthy, to have Mr. Robinette and whoever is now heading the Department of Health, Dr. Clack is now very ill I might add, to come and report as to the final status of this report, including the backflow.

I would like to have somebody here from the Mayor's Office to address the problem of the valve foreman, the position that was never filled, because that is terribly important, so that we don't have emergency breaks, I wanted to make sure that Mr. Miller and everybody from his Department is here to address how we are dealing with standby water tanks, I've noticed that when we had that episode in West End, at Elliott, they did have the water tanks standing by.

I'd like to make sure that Shuckrow and Touhill people are here to address the inventory so that we establish a base line of what should be in the water, to give us an update on their report, share that with Council.

And I want to know what happened and how we resolved the episode last year and why it wasn't resolved and how we prevent another episode such as that has come to my attention. . . it seems we are never going to know who was the villain in the plot, but we ought to have the legal department, that would be Mark Fine, here to address that and how we ought to deal with in the future so that we don't pick up that debt by the City. We also would have Shuckrow and Touhill deal with the covers on the reservoirs for which we have \$75,000 put aside.

I think that we might want to invite the University of Pittsburgh, Graduate School of Public Health, Maurice Shapiro and his staff, and someone from Dr. Posvar's staff because I'm having a lot of problems getting them involved with doing some water sampling.

The Chair:

Do you want to have Jimmy Carter here?

Michelle Madoff:

That should be a long hearing, and an important one.

Mr. Lally moved to approve the minutes of Monday, May 7, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of Mr. Givens

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, May 21, 1979

No. 22

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. De PASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, May 21, 1979

PRESENT:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3244 Resolution Granting unto 445 Pitt Associates, Incorporated, 1425 Beaver Avenue, Pittsburgh, Pennsylvania, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, a reinforced concrete vault

with fixed and hinged steel grating. Said vault to be located at 445 Fort Pitt Boulevard in the First Ward of the City of Pittsburgh.

Also

No. 3245 Resolution further amending Resolution No. 61, approved February 6, 1979, effective February 9, 1979, as amended by Resolution No. 262, effective April 3, 1979, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection and design of the Larimer Avenue Bridge and providing for the payment of costs thereof", by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from Fifty Eight Thousand Four Hundred Fifty (\$58,450.00) Dollars to Sixty Four Thousand Fifty (\$64,050.00) Dollars.

Also

No. 3246 Resolution further amending Exhibit 1 of Resolution No. 675, approved 8/16/76, as amended by Resolution No. 747, approved 8/16/77, as amended by Resolution No. 1020, effective 10/27/77, as amended by Resolution No. 4, effective 1/31/78, as amended by Resolution No. 725, as amended by Resolution No. 1333, effective 11/30/77 amended by Resolution No. 21, effective 1/19/79, as amended by Resolution No. 273, effective 4/3/79, entitled "A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances; providing for

execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account", by creating new line items in Exhibit I.

Also

No. 3247 Petition from residents of Bloomfield requesting that Gross Street from Friendship Avenue to Penn Avenue be changed to one-way.

Also

No. 3248 Communication from John E. Ruff, Director, Department of Public Works, submitting traffic regulations to be instituted on Melvin Street and other Streets listed therein for 60 day trial period. Beginning May 14, 1979.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3249 Resolution providing for an agreement or agreements with Health and Welfare Planning Association for consulting services to conduct a study relative to the feasibility of new techniques in housing the elderly.

Which was read and referred to the Committee on Planning, Housing & Development.

Mr. Lally presented

No. 3250 Resolution providing for the sale to the Commonwealth of Pennsylvania, in lieu of condemnation, vacant land in the 20th Ward, being Block 16-A part of Lot 252 containing approximately .93 acres along Banksville Road.

Also

No. 3251 Resolution providing for the filing of a petition or petitions for the sale of certain property of properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also

No. 3252 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$750.00 to Edward Margolis, for additional work at No. 8 Police Station, Controller's Contract No. 22659.

Which were severally read and referred to the Committee on Lands and Buildings.

Mrs. Masloff presented

No. 3253 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$8,283.00 for extra work in connection with Crowley-Goettman Pool. Project No. 76-PR-10.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3254 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of miscellaneous replacement and repair tools for the Department of Water, and for the payment thereof.

Also

No. 3255 Communication from Lawrence J. Yatch, Director of Supplies, requesting interim approval of payment of \$1,758.70 for extra work in connection with installation of fence at City Garage, Controller's Contract No. 23190.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3256 Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$8,500,000 to be represented by Notes issued in anticipation of the issuance of General Obligation Bonds in said amount, establishing the useful lives of projects, accepting proposals, fixing the interest rates and maturity dates of the Notes, stating sources of repayments of the Notes, authorizing deposits into the City's

Sinking Fund, Directing the filing of Documentation with the Department of Community Affairs, covenantee that the Notes will not become Arbitrage Bonds, establishing the form of Notes, and repealing inconsistent Resolutions and Ordinances.

Also

No. 3257 Resolution amending Resolution No. 998, approved August 28, 1978, effective August 31, 1978, entitled: "Resolution of the City of Pittsburgh authorizing the Solicitation of Proposals for \$2,403,000.00, Principal Amount, General Obligation Bond Anticipation Notes of 1978, Series A, providing for the payment of the expenses of such sale and repealing inconsistent resolution" by reallocating funds between the projects included in the Series A Notes.

Also

No. 3258 Resolution providing for an agreement or agreements with The Female Offenders Program of Western Pennsylvania, Inc., Welfare Rights Organization of Allegheny County and Transitional Services, Inc. for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which were severally read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 3259 Resolution providing for the issuance of a warrant to John L. Golembeski in the amount of \$1,000.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 3260 Resolution authorizing issuance of a warrant in the sum of \$1,045.37 in settlement of claim for damage.

Also

No. 3261 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Grogan, Graffam, McGinley & Solomon, Attorneys at Law, in the amount of \$200.00, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law.

Also

No. 3262 Resolution providing for the solicitation of proposals for computer hardware equipment, operating system software and application program conversion assistance.

Also

No. 3263 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Gladys Russell and Mary Keegan, to attend conference for Prime Sponsors, Chicago, Illinois, May 23-24, 1979, at cost not to exceed \$750.00, payable from CETA EOPP Trust Fund.

Also

No. 3264 Communication from David L. Donahoe, City Treasurer, submitting report of Deposits and Market Value of collateral security pledged by City Depositories to secure same as of April 30, 1979.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3265 Petition from Pittsburgh residents requesting a hearing before Council to review and discuss enforcement of Ordinances No. 375 of 1934 and No. 302 of 1971, regarding peddlers and vendors on City streets.

Which was read and referred to the Committee on finance.

Mr. Stone presented

No. 3266 Report of the Committee on Finance for May 16, 1979, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2936

An Ordinance entitled, "An Ordinance adopting the Pittsburgh Code." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

The Chair:

Mr. Stone, weren't we talking about an amendment to the Code in regards especially to the role of the Fire Department versus the Building Inspection?

Mr. Stone:

Yes, that is what I just wanted to address myself to. Mr. President, if I may, relative to the Pittsburgh Code, this is the first time that we've had the Pittsburgh Code. Heretofore, it was scattered throughout a lot of ordinances and someone had to pull it together.

I think it was a move in the right direction to do this. I think that at the present time, the Pittsburgh Code, it is not perfect, it never was intended to be perfect . . . it was just a compilation of everything into one book, codification, I don't think that this Council should let pass the monumental work that Mr. Danny Pellegrini has done here. Anyone who has had the opportunity to work on by-laws knows that that is a thankless job, but yet it is so important to any organization.

The Pittsburgh Code is voluminous as it is. And, to have pulled all those ordinances together to where they make some sense, at least, or to give you an opportunity to be

where we are presently, I think is a great thing, and I think Danny Pellegrini should be commended and I think a letter should go out from this Council thanking him for that job.

I'd just like to say very, very cautiously here, so that everybody understands . . . to amend every particular ordinance and not knowing what other ordinance it does affect, as we have been doing heretofore, is wrong. What is designed here is to give us a skeleton from which we can now add or subtract. It is brought into one book, clearly, where it is, we can all look at it, if it doesn't suit what we particularly like, we amend it and do it the way we want to do it.

There has been, and I think rightfully, as far as I personally am concerned, I haven't made up my mind totally on where the matter lies between Building Inspection and the Fire Department as far as that Board is concerned. I had indicated last Wednesday that we would have a meeting within two, a maximum three, weeks depending upon the availability of the parties. They would all come here and at that time we would make that decision. As to where it should permanently be, I've asked Mr. Pellegrini not to print the Code yet until after that is done, but it is easier to amend this Code than it is to go back with all these different portions to attempt to do it.

I think this is a major step in the right direction for the City of Pittsburgh. We may not be seeing its fruits just by passage of this today, but I think in the future we are going to see the full benefits of the ease with which we can amend it.

Mr. Givens:

Mr. President, since I've been here, I've never seen any Ordinance come through this Council without complete deliberation on that particular Ordinance. In reviewing this Ordinance, #2936, we've had two hearings on that Ordinance, lasting approximately four to five hours. This Ordinance significantly changes better than half of all of the ordinances that have existed in the City of Pittsburgh, some of them dating back to when this City was first chartered, back in 1908, and I would say here to the people of the City of Pittsburgh, in this Council, for us to go in

and vote for this particular ordinance without going through each one of it in public hearing whether the public wants to attend or not, is immaterial, it is our job and our duty to go through each one of these ordinances and vote them up and down, not blankly, with binders on us, vote for this Ordinance, and then say, come back and try to amend it after we vote for it. There are many things that give me deep concern in this particular Ordinance, and especially the high-rise building code. There was one that I had fought for over three years, tried to bring this about. Until that was settled the rest of the Code was kind of in limbo. We're still in that status today and its going to take this Council, I think we've heard arguments on both sides, to make a final decision one way or the other. But to change the ordinances without the public knowing the contents, fines have been changed significantly, double, triple, people will not know about, just trying to get a permit for your building is changed drastically in this particular thing and there is no schedule. For example you want to do \$100 worth of construction, versus \$10,000 worth of construction, its going to cost you the same amount of money. There is not sliding scale in other words, when it comes down to the cost of a particular permit for building. There is a lot of built in revenues, I guess what I can say in another word, built into these ordinances here, to generate monies for the City of Pittsburgh, but I think if the public is fully aware of it, they would want us surely to have complete and in depth hearings on each one of these ordinances and the change thereof and to have it voted up or down.

The Chair:

Mr. Givens, I feel similar to you, there are just too many changes, too many drastic changes.

I don't agree with you that we didn't have a chance to read each and every ordinance, we have had months to do that. In fact it took every bit of a month, I think, for me to finally go over them, and I know the rest of Council. We were aware of all the ordinances, as far as the general public, its our job to protect them and its our job to let them know whats in there so we vote for their best interest. I am going to vote no on this, I'm

going to disagree with Mr. Stone . . . I don't disagree with the work Mr. Pellegrini put into it or the other people in the City Administration, just that I sit at the table and I say again, I think there are too many changes, too many drastic changes, and we did have time to study each and every ordinance and we could have made a determination before we voted here today.

Mr. Givens:

I have made changes and that is my exact point, this ordinance is voted up or down without even going into a debate, on each and every one of the ordinances that were changed. This is going to take time. I appreciate Dan Pellegrini and the work that they have done down there and as every day goes on, it makes his work load that much more burdensome down there, but when you change every ordinance, not every ordinance, but when every ordinance is reviewed and the majority of them is significantly changed in the City of Pittsburgh, and this Council doesn't go over each and every one of those, either in public hearing or otherwise, the only thing I can say is that we are going to have some hearings downstream that will, each one of these ordinances are going to be brought out and debated, or else we are not doing our job, I feel, in voting on this ordinance today. I feel that it cannot be voted on per-say, because it has too much significance to the people of the City of Pittsburgh.

Michelle Madoff:

Mr. President, if we don't pass this ordinance and do it quickly, maybe two years will go by or four years, and we will still be spending four to five hours in here every . . .

Mr. Stone:

Point of order, we passed it already.

Michelle Madoff:

I'm sorry, I stand corrected. I think it is terribly important that an issue be addressed that Mr. Givens and the President have raised. Maybe a suggestion of solving the problem might be in order.

Obviously, if we are going to amend, and I know that I personally had submitted three amendments to the Code to Mr. Pellegrini and they were returned to me saying that much of what I was proposing would be changed once this bill was passed . . . the City Code. But, I have some great reservations, one on the handicapped another one on the litter, and we could go on and on, we all have concerns that we want to amend

But, perhaps because of the issue that Mr. Givens raises, the people who are getting a copy of this new bill, the public, will say now this is a law and take it as being the law and acting accordingly and then somehow being subject to some kind of problems created by the law which may be temporary . . . temporary in that I think once it is passed we can start addressing those sections that we want to amend immediately. It might be in order to put a cover letter, perhaps drafted by Mr. Stone and by the President, that would say, this is in essence, a draft copy so that we have a Code so that we can get on with the game of making the proper changes and addressing ourselves to those sections we wish or any member of Council wishes to have a hearing on and change. But, put in the public's mind clearly that this is not the final, ultimate, Code as it is going to be and that some very serious changes will take place in the near future, but I think that a cover letter might be in order. What do you think Mr. President? And if the Code has a cover letter and a press release is put out saying that since it has passed, that this Code is going to be amended, it is the draft copy that is subject to amendment at any time by Council or whatever authorized party, I think that would help to alleviate any problems that could be created by passing it in some areas that we are going to address rather quickly and without ever putting it to the printer until we've addressed them.

The Chair:

Well, without a doubt, some of our ordinances need updated, in fact, we can go back, as Mr. Givens stated, some 70 or 80 years. I just thought there were too many changes, too many drastic changes, and our one big hang-up as I said before is in regards to the Fire Department, you might say versus Building Inspection, there seems to be

some sort of a feud there as to who was going to take over in regards to sprinklers or what have you. But as Mr. Stone said, we can amend it and we can in future meetings thrash that matter out to the satisfaction, hopefully of both parties. Other than that I think we needed a Code and needed it badly.

Mr. Lally:

Mr. President, I thought the amendments were to be made before we voted on this thing, this is what I was under the impression of last Wednesday. We were to sit down with these people for two weeks.

The Chair:

No, I think Mr. Stone made it clear that the amendments would come about later, am I correct Mr. Stone?

Mr. Lally:

How do you correct it after you have already voted on it? That's what I don't understand.

Mr. Givens:

You cannot.

Michelle Madoff:

Yes you can, just amend it.

Mr. Stone:

If I may, for a moment, I sat back, and in fairness, we've had this thing pretty close to a year and you can't fault the fact . . . it's somebody else's fault when they give it to you for two years and you haven't read it. But, we've been going around and around . . .

Mr. Lally:

I resent that, Mr. Stone, I did read it. That is not my question to you, my question to you is that you were going to give us two weeks, now don't say you didn't say that last Wednesday . . .

Mr. Stone:

Someone indicated that they hadn't read

it and that's . . . I'm not making any reference to you Jim . . .

Mr. Lally:

Well I hope you're not because I have read it.

Mr. Stone:

I didn't say you didn't, there was a comment made before that someone had not read it or didn't have a chance to read it. What I indicated, and let me make it very, very eminently clear, it is easier to change something in this form than it is to change all the ordinances and try to pull it together together.

Now, we had two meetings on the same subject at which that became a point of amendment as to whether or not we would leave it out or put it in. That decision last week was to at this point, leave it in and then amend the Code. We set out in an effort to do that as I have indicated here just five minutes ago, and as far as the Fire thing goes, that is still a question for me. But it is better to have something from which we now work to amend than to have it some is covered and some is not covered. Some of it is not even in the Code. There is no coverage on some of it as it is right now, so in this sense it is easier to amend this and we have indicated . . . we have asked Danny not to print it finally yet, and within two, three weeks maximum, as I have indicated earlier, that we would cover that specific subject and I think we ought to cover any other ones that anyone has any . . .

The Chair:

I think it is a matter for the Parliamentary in regards to if you've held the discussion. I'm talking about passing the Pittsburgh Code and amending it as we go along.

Mr. Lally raises a point, can we amend an Ordinance once it is already passed?

Parliamentarian:

Yes, it wasn't too long ago that Michelle asked to amend an Ordinance and she didn't

get a second on it but that is contrary to the fact that she was able to ask for an amendment to an Ordinance that already passed. If we can do it in one case we can do it in another.

Michelle Madoff:

And, if I remember correctly, the reason I didn't get a second is that Mr. Pelligrini had asked not to continue with it because he said it was going to be covered partially in this Ordinance and anything we wanted to amend we would take up after this basic Ordinance was covered. It gets back to the question I asked which was not answered.

Mr. Givens:

Howcome very other Ordinance that we ever submit before this Council we don't do it this way, but this Ordinance we are doing it the opposite way.

Michelle Madoff:

Because we have nowhere to begin, it's a draft copy, we have got to start somewhere.

Mr. Givens:

I have plenty of questions and all I can say is whenever we sit down in a public hearing and have nine Council people present and we can discuss each one of these ordinances because I have many changes and many amendments to make that I will make suggestions and I'm going to send it to our Law Department to come up with recommendations on it because I'm not an attorney and this was written by an attorney and it is an Ordinance.

It strikes me very oddly that when the Community Advisory Board which is only one ordinance in this total package, came before this Council body that three times I had to turn around with a sub-committee and get it re-drafted and now we come up with an Ordinance that affects the total City of Pittsburgh and yet we are going to pass this now and amend it later, its assinine.

Michelle Madoff:

Mr. President, may I respond to Mr. Givens. Mr. Givens, I believe that you are

correct, it will take at least two years to amend many of the Ordinances as . . .

Mr. Givens:

I have all my notations down there . . .

Michelle Madoff:

Let me finish . . . we have to start somewhere by having a City Code and then lets start taking the priority items and I think you and Mr. Lally are correct, the priority items are the Fire and Building Inspection Department, lets schedule a hearing and let's start working on that number one, let's start amending that and in two years we will have an amended Ordinance but at least we will have an Ordinance.

Mr. Givens:

I'm willing to sit down here Monday through Friday, 8:00 through 5:00 and go Ordinance by Ordinance and that is what I'm saying we could do.

Michelle Madoff:

But I didn't get an answer to my question, do you think it would be in order to have a cover letter which would be a press release and a cover letter stating that we are now going to start addressing this Code and amending where necessary so that we don't have people being penalized who are industry, or people who might be affected by the Building Code or the High Rise Code or what have you. What do you think Mr. Stone?

The Chair:

No problem.

Mr. Stone:

That is what we have asked to do already.

Michelle Madoff:

Thank you.

The Chair:

Would you send the accompanying letter Mr. Perry?

Mr. Stone:

If anyone has any requests for amendment they ought to submit it and I think that is in order.

Mr. Lally:

What is required? A simple majority or seven votes Mr. President?

Mr. Givens:

Hold it there are certain ordinances there which might require . . .

The Chair:

It needs five votes.

Mr. Givens:

There are Building and Zoning Codes in there and I don't know if simple majority is required anytime you change the Building and Zoning Code.

Mr. Perry:

I don't believe we are changing the Zoning Code Mr. Givens.

Mr. Givens:

We are changing fines, we are changing some other things in the Zoning Code.

Mr. Perry:

We are not changing districts.

The Chair:

Is there any further discussion on the bill?

And on the quesiton, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
(Pres't)

Ayes 6

Noes 3 (MR. GIVENS, MR. LALLY
AND MR. DE PASQUALE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3190

A Resolution entitled, "Resolution providing for the issuance of a warrant to Carol Jean Walls, in the amount of \$50,000.00 in full settlement of claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3228

A Resolution entitled, "Resoution providing for a Cooperation Agreement or Cooperation Agreements with the Housing Authority of the City of Pittsburgh for the implemenation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the quesiton, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3229

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny Children and Youth Service Council, Inc., Allegheny Presbyterian Center—Community House, American Civil Liberties Union, Brookline Area Community Council, Inc.—Senior Citizen Center, Carnegie-Mellon University, Central Northside Neighborhood Council, Community Action Pittsburgh, Inc., Concerned Mothers of Terrace Village, Inc., Creative Recycling Center, East End Cooperative Ministry, Epilepsy Foundation of America—Allegheny Chapter, Hill House Association, Job Advisory Service, Kay and Shadyside Boys' Club, Kingsley Association, Penn Circle Community High School, Pennsylvania Alliance for Jobs and Energy, National Association for the Education of Young Children, Pittsburgh Council on

Public Education, Pittsburgh Free Clinic, Inc., Pittsburgh History and Landmarks Foundatin Project H.O.P.E., Selma Burke Art Center, United Mental Health, Inc., University and City Ministries, Welfare Rights Organization of Allegheny County, and Young Men's Christian Association for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the quesion, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none (ONE ABSTAINING,
MR. GIVENS)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3267 Report of the Committee on Public Works for May 16, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3160

A Resolution entitled, "Resolution repealing Resolution No. 928, effective December 6, 1976 entitled 'Providing for letting of a Contract or Contracts for the furnishing,

delivery, installation and supervision of equipment (Electronic Air Chargers) for the Department of Public Works, and for the payment thereof."

Which was read.

Also,

Bill No. 3161

A Resolution entitled, "Resolution repealing Resolution No. 190, effective March 6, 1979, entitled, 'Further amending Resolution No. 675 approved August 16, 1976, entitled, 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data' approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with Project; and providing for the deposit of fund in a bank account,' as amended by Resolution No. 747 of 1977, No. 1020 of 1977, No. 4 of 1978, No. 725 of 1978, No. 1333 of 1978 and No. 21 of 1979, by increasing the maximum aggregate authorized amount form \$14,169,000.00 to \$14,184,000.00 and by providing for the payment of the additional \$15,000 by increasing the amount of funds available from PR77-25, and by amending Exhibit I to indicate the revised total funding."

Which was read.

Also,

Bill No. 3162

A Resolution entitled, "Resoltion further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective August 31, 1978, as amended by Resolution No. 1254, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, entitled, 'Resolution

adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; by transferring funds from PW 778-24, Brownsville Sewer, and creating three new line items: PW 78-33, Construction Division - Purchase Materials and Equipment; PW 78-34, Flashing School Signs and; PW 78-35, Electrical Services Contract and Equipment; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3163

A Resolution entitled, "Resolution providing for contract or the utilization of existing contracts for construction of catch basins at various locations in the City of Pittsburgh, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3164

A Resolution entitled, "Resolution providing for the Acquisition of certain property from Gulf Oil Co., as a gift in lieu of condemnation for street widening of Forbes Avenue at the intersection of Forbes Avenue and Murray Avenue in the 14th Ward of the City of Pittsburgh, and providing for the relocation of certain physical facilities of the Gulf Oil Co., owner of the aforesaid property, and providing for the payment of related costs thereof."

Which was read.

Also,

Bill No. 3165

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public sewer easement purposes, certain property of Dorothy M. Reynolds; William Vernon Hunter and

Elizabeth J. Hunter, his wife; Leonard L. Coppola, Jr. and Patricia A. Coppola, his wife; Wayne R. Marlett; Albert T. Ferrari; Raymond C. Ward and Margaret I. Ward, his wife; R.G. Emanuel and Marie L. Emanuel, his wife; Anna M. Doerr Estate; Michael T. Stanely and Peggy Jo Stanley, his wife; George S. Reynolds and Dorothy M. Reynolds, his wife; Donald M. Melzer and Karen A. Melzer, his wife; Walter Foster and Marie Foster, his wife; Nick James Brack and Elsie Brack, his wife; Alexander Lawson and Cynthia A. Lawson, his wife; Paul T. Moore and Bernadette Moore, his wife; Albert J. Dvorsky and Mary Dvorsky, his wife; and Mathias N. Miller, Mathilda Miller, his wife, and Louis Miller; situate on Mifflin Road and private property in the Thirty First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3203

A Resolution entitled, "Resolution providing for a Contract or Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing and other work incidental thereto, PW 79-01, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3268 Report of the Committee on Planning, Housing and Development for May 16, 1979, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3126

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1979 Community Development Block Grant Program, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, on Bill No. 3126, under HD 7912, as you may recall in Wednesday's meeting, I respectfully requested that \$100,000 of the \$200,00 listed be set aside to be used for the listing of City owned properties which are twenty years behind in being listed, allowing the rest of the funds to be used for the acquisition of properties with the thought that the money generated from the sale of properties would give us more money at least from the General Fund and perhaps at a later time we could ask for funds for the acquisition of properties. I did not get a second and I would like to make that in the form of a motion and see if I can get a second.

The Chair:

Say that again, you want to set aside \$100,000 so we can list . . .

Michele Madoff:

After meeting with a number of people, Mr. Brophy, and with Mr. McAllister and West, it came very pointedly clear that there is no money for the listing of the properties, and the bill that we voted on here, 7 to 2, to pass for the more efficient manner in selling City owned properties. We don't know appraisals, we don't know where the lots are, the activities that have taken place because of the media reporting on the fact that we were working in that area has generated a greater interest in these house sales. The book that was published some time ago with the 2,000 listings is inadequate, it is obsolete, it has mostly cliffsides or sold properties, when they ran out of that book, not having anything else they re-published it nine months later. We do not know where the City owned properties are, we cannot generate revenue, Mr. Valaw feels this is the greatest source of uncapped revenue for the City. We have not money to list the properties and I'm asking that we take \$100,000 from here to generate that fund.

The Chair:

I see no harm in the amendment Mr. Parliamentarian, if it is not out of order for me to second it, I second the motion.

Michelle Madoff:

This item is right at the bottom . . . Site Acquisition and Analysis . . . to set aside \$100,000 from that sum to be used for Lands and Buildings for the listing of City owned properties so we can expedite the sale, we can't sell them if we can't list them and we don't know where they are.

Mr. Robinson:

Without speaking to the merits of Mrs. Madoff's suggestion, I believe it would be inappropriate to take money from this particular source inasmuch as this is Community Development Block Grant money, it is specifically to be used in Community Development Block Grant areas.

Much of the City property is in areas other than those areas and I think before we make such a move we need to check with our

Community Development Coordinator to see if indeed we can use Community Development monies for this purpose.

Michelle Madoff:

That is a very good point, and may I also add to that, if we find out that we cannot, could we perhaps take this as a separate motion, that it is the wish of Council that we locate \$100,000 so we can start listing our properties and find it somewhere, somehow. Because it will generate a lot more money and it's been pending for a long time. It's embarrassing when people come down and we don't know where our properties are.

Mr. Givens:

Michelle, I think you'll find that 9716, right underneath there, Program Marketing and Coordinating, is a new program that heretofore we did not have, that is to market the land that we now have, notice the increase in there from \$150,000 up to \$330,000 and I think what you are saying is to try to list the properties that we have so that people know what is out there and then marketing those properties, I think you will find in marketing the programs that they will have to know, what the properties are to be marketed, so really, we are doing what you are saying and this is my concern too.

Michelle Madoff:

Could I make a motion to hold this bill for one week, can we hold this bill for one week to look into 7192 or 7916 to see if we could take \$100,000 from there? To see if it is in keeping with the CD regulations to take it from there and if it is not . . .

Mr. Givens:

Michelle you brought this vote up Wednesday and you did not get a second on it and you brought it up again and I say to you that in the marketing of these programs, we have put in a new area, in which I have the same concerns you do and we even increased that from \$150,000 up to \$330,000 and I think we are doing what you are saying.

You are talking about 7912 and I'm talking about 7916.

Michelle Madoff:

Are you telling me that there is \$100,000 specifically allocated for the computer and Lands and Buildings can start listing up property?

Mr. Givens:

No, I'm saying in order to market any property you would have to know something about that property that this money . . . it is the first time it has been put into a Community Development to market our own properties and we've even increased that allocation.

The Chair:

Mr. Givens, if I may, Michelle Madoff has brought this up on several occasions, and my curiosity is aroused, why don't they list these properties, and why do we have a hang up in regards to them not being listed, market value or what have you.

Mr. Givens:

Well, I have to agree that the City had a partial listing of properties that they wanted to sell, there are other properties, for example, the City wanted to hold on to for future developments, maybe to this extent, to where someone might want to come in and develop that particular land.

A lot of that, as Jim knows, is hillside property, we know that the City of Pittsburgh . . .

The Chair:

Well you know and I know and I doubt if there is any subterfuge, but, so there will be no doubt whatsoever, so why don't they just do it, it will be out in the open, we are not trying to hide anything I don't believe, I know those properties for the most part you can't give away, but there are some that people are interested in.

Michelle Madoff:

Mr. President there are 14,000 properties, 4,000 buildable lots and 800 houses that can be rehabbed. That is not chicken feed.

Mr. Givens:

That is not chicken feed and that is exactly what they are working on to some degree . . .

Michelle Madoff:

I'm sorry, as of four days ago, the last time I spoke to Mr. Brophy and Mr. West and Mr. McAllister, nothing was happening. They were not listing them.

The Chair:

Allright, Michelle Madoff made a motion and I seconded it, all in favor aye . . .

Opposed . . .

And a majority of the votes of Council not being in the affirmative the motion was defeated.

Mr. Robinson:

Mr. President, I would like to make a couple comments on Bill 3126, my concern is whether or not the Urban Redevelopment Authority through its contractual relationship with the relocation agency, has a plan to clean up and keep free from litter and debris, those properties that are owned by URA or those properties to be acquired. It was mentioned by Mr. Brophy at the meeting on Wednesday, that the relocation agency had that responsibility and I was wondering if we might not request by way of letter, from the relocation agency, which is part of the Housing Authority, that specifically speaks to what, if anything, they are doing to deal with the problem of litter and debris on URA property, much of which is thought to belong directly to the City of Pittsburgh and I think directly relates to the whole concern that Council has to try to keep the City a little bit cleaner.

The Chair:

Bill, URA notwithstanding here, I believe we have an assurance, perhaps we had in the past also from Lands and Buildings, that they were going to concentrate on City owned lots and they were going to see that they were kept clean and

free of debris and what have you, so hopefully they will carry out their end of it and I would think that URA would want to go along with them.

Mr. Robinson:

Well, what I am suggesting is that the Urban Redevelopment Authority being a quasi-governing body, has its own mode of operation and there is nothing that legally requires them to follow through on what our own City Department of Lands and Buildings might be doing. That there is a great question as to who actually owns the government owned property in the City of Pittsburgh and who is responsible for cleaning it up. I was just trying to get some clarification as to what URA is doing about the properties that are directly under their legal control and how that relates to anything that our Department of Lands and Buildings of Environmental Services might be doing.

The Chair:

Why don't we have Mr. George in on Wednesday, okay?

Mr. Robinson:

That is fine.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3168

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Robinson:

Mr. President, regarding Bill 3168, I have some concerns about the \$230,000 that we are going to be spending with the Urban League because since Wednesday, I did a little bit of research and it would appear to me that we are requesting, or have been requesting for some time that the Urban League carry on some sort of counseling services which also will include some financial services, I raised this concern because we are considering or will consider Wednesday, Bill 3169, which specifically authorized spending of approximately \$25,000 with Housing Opportunities Incorporated to also provide financial services. I would hope that in the future we would look at our contractual relationship, particularly in the area of Housing a little more closely to make sure we don't have duplication of efforts or that we are not indeed paying for services we had already received.

I'm not quite sure that the Urban League cannot provide to us the same kind of services that under 3169 we would be contracting for. I just thought Council should be aware of that.

Just as another note, under 3169, we are going to be paying per unit for financial counseling, a little under \$1,000 for the sale of 30 properties which I would say is . . .

Michelle Madoff:

A lot of counseling . . .

Mr. Robinson:

Well, it's a lot of counseling, it's also a lot of money and again, without questioning the credibility of the organization, I think, just in terms of dollars and cents we might want to be a little more careful. Particularly with the vast amount of money that we are spending through our housing program.

The Chair:

Mr. Robinson in regard to 3168, there are officials in the Housing Authority who flatly say this is a complete waste of money, the \$230,000, and I just had a conversation with a couple of them this morning and I am inclined to, not agree with them, because I really don't know that much about it, but if these people are so-called experts in the field and they say that we don't need it, I think I'd be inclined to go along with them.

Mr. Givens:

To add to Bill's comments, I have to say that Urban is very concerned in this area, the biggest concern that we have is the fact the letting people in our neighborhoods know what programs the federal government has, anyone just has to go back and look at those records that I have on my register there and the HUD directory and we get a Bible's worth of changes that come in every day, it's almost mind-boggling to just keep up with the changes, what people have authorized and not authorized in this particular area. We had a board meeting last Thursday, the Authority did, Urban Redevelopment Authority, wherein we discussed this very openly and very frankly as to how these people were to be used, how they were to be implemented, it came from the Six Year Plan, the hearings that we had throughout the years where people in the neighborhood want to have a centralized location where

they can go and many of the neighborhoods throughout the City of Pittsburgh and have all the various governmental agencies, whether they be federal, state, county or otherwise, be housed in one particular building so to speak, and it has been my effort here that when these people are placed for the different programs that are authorized under at least URA, and under our Community Development Act Program, one that we are acting on here today, that the people in that neighborhood should go to one central location and find out a lot about it. These people are not going to be turned loose, they are going to be people from the neighborhood, they are going to be qualified people, there is going to be an educational training program that is going to be set up by URA before these people are released to the neighborhoods so they are pretty well familiar with what programs we have and a complete total list. So when a person comes in they are looking for piggybacking, otherwise there might be one program that they are eligible for, there are several programs that they are eligible for. Put them all together and we come out with a beautiful package where ol' mom or dad, or someone can fix up that home, can acquire a home, can live in a house that a landlord had that he wasn't fixing up but now he can get funds to fix up that same property with a contractual agreement with the tenants and now make a contract with the federal government to upgrade the housing in that area.

We talked about absentee landlords, this is a program for them, to upgrade their properties so the tenants who live in there will be subsidized by the federal government.

There are many programs that intermesh with one another . . . but the main and overall topic is to upgrade the community, to upgrade the neighborhood.

The Chair:

Mr. Givens, centralizing is one thing, and studying in depth is another and I have to go along with Mr. Bulls and Mr. Robinson and other Council people who have raised objections time and again that it is a complete waste of money in regard to some of the studies and it won't be another week go by that we won't have another study.

Mr. Givens:

I wasn't talking about the study Jeep, I was referring to Bill 3126.

The Chair:

I follow what you are saying Dick, you make a point, but my concern is with these studies that we have.

Michelle Madoff:

Mr. President, I just wanted to get some clarification. Mike Perry was to schedule a hearing and we didn't have it because Mr. Stone and others felt that the calendar was loaded before the election, to have Judge Flaherty, I don't think he is still with us, but he agreed that he would come before us and explain his new law. He has ruled that people will know when there is a property for sale, as he pointed out, the one day in Court, he said it suddenly dawned on him, he said who is interested in this property and there is only the person who had asked for it to be put up for sale, that nobody knew about it, there was only the one person and there was no bidding process.

He made that law, we have not had a report on that, we were to have Mr. Valaw come here and tell us how he was going to notify the media, which he has not done, he has notified only me, I believe, perhaps Mr. Mike Perry, I don't think you get them . . .

Mr. Perry:

No, I don't.

Michelle Madoff:

Just myself, as to when the bidding is taking place on a property, very little detail, he promised that he would willingly, because it is not a matter of law, but he would voluntarily let the media know so they can cover it and get the message to the public that it is not intimidating to go and bid on a piece of property.

We were going to have a report from Mr. West as to when we were going to meet the Ordinance passed by this Council. What good is it for us to have allocated \$10,000 to ad-

vertise properties and books that haven't been written yet, so I would like to find out, a.) when that is going to be scheduled; b.) to write a letter to Mr. Brophy, Mr. West and the Mayor saying where are we going to find this \$100,000 to list the property.

What is the point of our advertising something that doesn't exist. I think we would all agree on that, and let's deal with that at either a hearing or a post agenda hearing and come to some kind of resolution because I'm sure, as tired as I am of running this into the ground and talking about it all of the time, I'm sure people must be tired of hearing it.

Is there a hearing scheduled? Was there one scheduled, do we have a date on it Mike?

Mr. Perry:

We don't have a date.

Michelle Madoff:

But you did have it as one of the things you were going to deal with, or has that been set aside?

Mr. Perry:

Yes, we are going to deal with it.

Michelle Madoff:

Fine.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
(Pres't)

Ayes 8

Noes 1 (MR. DE PASQUALE
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3269 Report of the Committee on Supplies for May 16, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3184

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one air cooled process cooling system for a mini-computer for the Department of Police, and for the payment thereof."

Which was read.

Also,

Bill No. 3185

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 22 picnic tables for the Zoological Park Commission, and for the payment thereof."

Which was read.

Bill No. 3186

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Playground Equipment (basketball pole and backstop, portable volleyball posts, and slash proof belt seats for swings, etc.), for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 3270 Report of the Committee on Water for May 16, 1979 transmitting one resolution to Council.

Which was read, received and filed

Also, with an affirmative recommendation,

Bill No. 3180

A Resolution entitled, "Resolution amending Resolution No. 1072, approved October 2, 1978, entitled: 'providing for a contract or contracts for the purchase and installation of valves in various locations and providing for the payment of the cost thereof', by increasing the appropriation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably

to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3271 Report of the Committee on Parks and Recreation for May 16, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3181

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Northgate Recreation Facility Project, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Northgate Recreation Facility Project, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures."

Which was read.

Also,

Bill No. 3182

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the

Brookline and Paulson Pools Project, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Brookline and Paulson Pools Project, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to alw, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3272 Report of the Committee on Lands and Buildings for May 16, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3174

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements and a Contract or Contracts in connection with construction at Buhl Planetarium and providing for the payment of the cost thereof."

Which was read.

Bill No. 3175

A Resolution entitled, "Resolution providing for a supplemental agreement with the County of Allegheny and the School District of Pittsburgh authorizing the Director of the Department of Lands and Buildings, in reference to any properties located in the City of Pittsburgh and owned by the three taxing bodies, to serve as the Agent for the County of Allegheny and the School District of Pittsburgh, in preparing, executing, presenting and recording any and all documents necessary to adopt plans of lots and make any reasonable dedication, if necessary, in accordance with the applicable subdivision ordinances of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3176

Resolution repealing Resolution No. 215, approved 3/3/78 property in the 8th Ward on Lorigan Street, Block 26-H, Lots 93-95-96 to Joseph Rasimczyk for \$850.00. City does not have marketable title to 26-H-93 as description of said plan and name of owner incorrectly taken. Hand money of \$100.00 to be returned by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 3177

Resolution repealing Resolution #650, approved 8/9/76 which amended Resolution #252, approved 4/26/76 for the sale of property in the 19th Ward on Meridan Avenue, Block 6-M, Lot 58, to M.J. & Donna C. Marasco for \$450.00 who later transferred by an assignment to Gerald C. & Beatrice Rothoff who have not complied with the agreement and their hand money of \$100.00 is to be forfeited.

Which was read.

Also,

Bill No. 3178

A Resolution entitled, "Resolution authorizing the sale of property in the 18th Ward of the City of Pittsburgh located on Bailey Avenue, designated as Block 4-M, Lot 147 to Thomas W. Lampl for the sum of \$900.00."

Which was read.

Also,

Bill No. 3179

A Resolution entitled "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUOIONS

Michelle Madoff:

I would like a memo or a request that we

have Mr. Steve George of URA report to us how they were able to spare \$1,000,100 for our bond money that we are borrowing from them . . . who authorized that? I understand that it was the Mayor who suggested that they loan it to us. Don't they need it? Can they spare it? Are they that affluent? I would just like to know why they feel they can spare a million dollars to loan for our Bonded Indebtedness loans that are going out for bid. That is one item.

The other item is that I would like to announce and ask for a resolution, this is a one year anniversary of my request for a bathroom for the women staff members of Council. I mentioned it earlier in the Mayor's meeting and Mr. West indicated that he didn't know when he was going to do something, the Mayor asked that he do something hopefully in July or August, but I would like it seconded and I would like a motion from this Council that by September 1st, the female staff of City Council, perhaps the Mayor's staff and myself and Sophie Masloff, if she desires to use same, would have the use of a bathroom. It is embarrassing to go into the ladies room and have the wall fall out on your leg, the back wall fall out, the marble wall, this bathroom had no lights last week. When we have a public hearing you can't even get into it, it just can't be kept up this way. Many of us go to meetings as you know, Mr. President, we had a meeting at night at Mt. Washington, we have other evening meetings, there are CAP meetings here, I think the least we are entitled to is a place to wash up.

One of our staff employees is using the lunchroom, which she is locking herself into, no one can get into it, because there is a sink in it, to strip to the waist, wash up and put her makeup on, and there is hair all over the place and that is where people are eating and it is a violation of the health rule.

I respectfully request, and I don't think it is overkill, Mr. Stone, it's been one year, that we expedite having a bathroom by motion of this Council by September 1st. Because if we don't have it September 1st, I will put a notice saying "occupied" on the Councilman's bathroom marked "private". As I said before, they never expected women to

be in Council and I think I'm going to be here another four years, and I will walk into that room, I don't care who is embarrassed.

I don't think I am being out of line, do you Mr. President?

The Chair:

I was under the impression that once those offices across the hall were vacated, that we were going to have a ladies rest room or washroom. Why that hasn't transpired, I don't know. I've had my hang ups with Mr. West time and time again, and I get no results whatsoever, and long before you came aboard on City Council, Michelle Madoff, as I tried to state earlier, and nobody would seem to pay attention to it, I requested Mr. West to put in a ladies washroom and he told me then he was having problems finding a good location and some other incidentals which really weren't important, but I just don't think he wants to put the washroom in and I can lay the blame on Mr. West and nobody else. And why we are not doing it now, why we are not proceeding, I don't know.

Michelle Madoff:

Do we work for Mr. West or does he work for this Council?

The Chair:

Well, he has been evasive every time I've ever asked him. I'll ask him again and again, I think they could start tomorrow.

Michelle Madoff:

Could we make it an official motion in a letter to him that this is the wish of Council? I think we have a second . . .

The Chair:

Michelle, I don't know what good a motion would do if they don't want to put it in.

Michelle Madoff:

Well, maybe if they get an official letter from Council, maybe that will . . .

The Chair:

I think perhaps a request from the Mayor of the City of Pittsburgh, maybe that will get a little action.

Michelle Madoff:

Well, we did get one from the Mayor, I think we need one from Council.

Mr. Givens:

Mr. President, we can put a sign on the door "occupied" and I'll know exactly what's going on.

The Chair:

No, this is not a joke, as I said before, before Mrs. Madoff came aboard, we had quite a few women here and they are still here and there is no reason why they should be so inconvenienced, especially when there is the space, there is no reason why we shouldn't have a washroom for them, we should have one.

Michelle Madoff:

Are you seconding my motion Mr. Givens?

Mr. Givens:

I'm saying that you can have a . . . you know I have four girls and four boys in my home, and you know we have to share bathrooms, and we merely yell, "Hey, is anybody in there?"

Michelle Madoff:

Fine, I'd be delighted to share, we put a lock on the door . . .

Mr. Givens:

If you want to put a sign "men" or "women" on that door, it's alright by me, I just don't want anybody walking in there when I'm on the potty. Put a lock on the door.

Michelle Madoff:

We had a lock on the door, Mr. Perry saw

that it was removed the next day, I'm perfectly willing to share, didn't your mommy teach you how to share, come on?

The Chair:

Well, now that the election is over we are getting a little of our humor back anyway.

Michelle Madoff:

As a point of humor, I was going to suggest from those 22 tables, I believe they are replacing it with stone, maybe we could have U.S. Steel donate 5 and J & L donate 5 and Koppers donate, fine, if they can steal them fine we'll get more.

Mr. Lally:

Mr. President, I will request Director West to look into the Washroom problem.

The Chair:

We would appreciate it very much, Jim.

Mr. Lally:

And we will have an answer before September 1st.

Michelle Madoff:

We'll have a bathroom by then, because I'm going to start using it, that is official.

Mr. Lally:

If we don't Michelle, we'll get you a Johnny on the Job, okay? We'll put a portable in the hall.

The Chair:

This is in regard to an appointment to the Vacant Property and Review Committee. For some time we have had nobody on that Committee and the Mayor's Office just asked us to put somebody on. I have checked with Councilmembers and nobody has come up with a name. I suggested the name of Dr. Martin Kraus to be appointed to the Vacant Property and Review Committee.

Mr. Givens:

I second that motion.

Michelle Madoff:

I believe he is already on a Commission, will he have time to serve on two?

Mr. Lally:

He's on the Personnel Board.

Michelle Madoff:

I think it's \$6,000 a year plus his practice.

The Chair:

Well, this is a non-paying job.

Michelle Madoff:

I know, I don't care if he gets paid, I just don't know if he has the time for it. His activities in Squirrel Hill...

The Chair:

It's immaterial, if somebody else has a name...

Michelle Madoff:

What's wrong with a Member of Council?

The Chair:

I think like you that maybe it's too much for Mr. Kraus, but I've gotten no other names from anybody and they claim that they need a third person real bad, and so let's get on with a third person regardless of who it is. Does anybody else have a name?

Mr. Givens:

I'd like to submit the name of Agnes Brose from the Garfield area of the City of Pittsburgh.

The Chair:

I withdraw my nominee.

Mr. Givens:

I withdraw my second and submit the name of Agnes Brose.

Michelle Madoff seconded the motion.

The Chair:

Is there any further discussion on the appointment?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none (ONE ABSTAINING, MR. ROBINSON)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Mrs. Masloff:

Mr. President, I move that the City Clerk is hereby directed to deliver to the Director of the Department of Public Works a copy of the model design for community communications and the statement of minority concerns. Council requests the Department of Public Works to review these documents for their possible inclusion in the request for proposals to establish a Cable Communications System in the City of Pittsburgh.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Lally:

What does this mean, will somebody tell me?

Mrs. Masloff:

This means that the Committee has come up with some recommendations that they want included in the request for proposals which will be going out June 1st.

The Chair:

This is the 500th resolution we've passed on Cable TV and we still don't have Cable TV.

Mr. Robinson:

Mr. President, given the very competitive nature of the Cable TV franchise, the potential franchise in the City of Pittsburgh, I think it would be appropriate for this Council, through the City Clerk, to forward a letter to Father Ron Lengwin, Chairperson of our Advisory Committee on Cable TV, and individual letters to all members of that Committee indicating our interest in them forwarding along with the request for proposal, a cover letter indicating that those persons who submit misleading, inaccurate or false statements in regards to their proposal, that that information, that type of activity would be considered by this Council as grounds for disqualification.

I don't think we should take that issue too lightly, even though I am sure that our Law Department is doing everything that it can to protect us and to make sure that we get accurate and adequate information. I think this Council as a body, is going to have to struggle with identifying a Cable Company, ought to come forward and indicate that we will not tolerate anyone attempting to pull a fast one. That is the only way I can phrase it.

Michelle Madoff:

Mr. Robinson, I believe it is in the ordinance.

Mr. Robinson:

I think there are some references to that...

Michelle Madoff:

I think it is very explicit.

Mr. Robinson:

Well, I have not seen that.

Michelle Madoff:

I'll show you the section, I've read it a couple of time and I think it is very explicit about mis-information.

Mr. Robinson:

In the ordinance it is very explicit?

Michelle Madoff:

Yes.

Mr. Robinson:

Well, that is still my request.

Michelle Madoff:

I think we ought to emphasize it, I think you are right.

The Chair:

Thank you Mr. Robinson.

Mr. Stone moved to approve the minutes of Monday, May 14, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. President, I move to adjourn this meeting and meet again next Tuesday, May 29, 1979 at 2:00 P.M.

Mr. Stone seconded the motion.

Which motion prevailed.

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Tuesday, May 29, 1979

No. 23

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Tuesday, May 29, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT: Mr. Lally

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3273 Resolution transferring \$84,983.82 from the Bureau of Police Communications Project Trust Fund and \$14,500.00 from the City-County Identification and Information System Project

Trust Fund to the Emergency Street Phone Network Project Trust Fund.

Which was read and referred to the Committee on Finance.

Also

No. 3274 Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous services in connection with the Emergency Street Phone Network Project, and providing for the payment of the cost thereof.

Also

No. 3275 Resolution providing for an Agreement or Agreements with The Salvation Army for professional services in connection with The Public Inebriate Program; and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3276 Resolution amending Exhibit 1 of Resolution No. 1589, approved December 30, 1978, effective January 1, 1979, entitled: "Resolution---adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by reallocating funds and changing project titles.

Also

No. 3277 Communication from John E. Ruff, Director, Department of Public Works,

requesting permission for Director Ruff and Brother Richard Emenecker, to attend Cable Television Franchise prebid meeting, June 19, 1979, Philadelphia, Pa., at cost not to exceed \$280.00, payable from Code Account 1502, Misc. Services, and Code Account 1661, Misc. Services, etc. Department of Public Works.

Also

No. 3278 Communication from Louis R. Gaetano, Deputy Director, Department of Public Works, requesting reimbursement of Travel Expenses to Harrisburg, Pa., regarding Benton Avenue, reconstruction in the amount of \$230.00 as following: Mr. E. McGee, \$115.00 and Mr. J. Wojtyna, \$115.00, payable from Code Account No. 1530, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3279 Resolution amending Resolution 1120 of 1978 entitled: "Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the North Side Urban development Grant Project" by including a section authorizing the Director of the Department of Housing to be designated and authorized to approve the expenditure of funds in this Project.

Also

No. 3280 Resolution providing for an Agreement of Agreements for professional auditing services in connection with the 1977 close-out of the Model Cities Program and providing for the payment of the cost thereof.

Also

No. 3281 Resolution providing for an Agreement or Agreements for professional auditing services in connection with the 1977 and 1978 Community Development Block Grant Program and providing for the payment and cost thereof.

Also

No. 3282 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend Conference on common development issues June 3-4, 1979, Buffalo, N.Y. at cost not to exceed \$160.00, payable from Code Account 1900-1, Misc. Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing & Development.

Mr. Givens for Mr. Lally presented

No. 3283 Resolution providing for the purchase from John P. Remmick and Bette L. Remmick, his wife, for public purposes, certain property at 1045 Royal Street, 26th Ward, designated as Block 47-E, Lot 236, for \$28,000.00, plus proper closing expenses; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 3284 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Mrs. Masloff presented

No. 3285 Resolution further amending Resolution No. 1046 of 1976, as amended by Resolutions No. 551 or 1977 and No. 596 of 1978

entitled: "Providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; approving the 1977 Community Development Block Grant Program providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account; and providing for payment of expenses; within categories." by adding Olympia Park and Northview Heights Recreation Centers to PR 77-12, Rehabilitation of Recreation Centers.

Also

No. 3286 Resolution providing for a contract or contracts for the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 3287 Resolution providing for a contract or contracts for the renovation of Olympia Recreation Center and providing for the payment of the cost thereof.

Also

No. 3288 Resolution providing for an Agreement or Agreements with the Architect of the new Magee Recreation Center for professional services in connection with the design and installation of a work of art at the Center; and providing for the payment of the cost thereof.

Also

No. 3289 Resolution providing for a cooperation agreement or agreements with the Housing Authority of the City of Pittsburgh for the design and renovation of the Northview Heights Recreation Center and providing for the payment of the cost thereof.

Also

No. 3290 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$5,341.00 for extra work in connection with Homewood Swimming Pool and Bathhouse plumbing contract, Controller's Contract No. 22225.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3291 Resolution authorizing the issuance of a warrant in the amount of \$17,663.21 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3292 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of three (3) pre-cut wood shelters for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3293 Resolution providing for an Agreement or Agreements with St. Francis Community Mental Health Center for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also

No. 3294 Resolution authorizing issuance of a warrant in the amount of \$929.15 in settlement of claim for damage.

Also

No. 3295 Resolution authorizing issuance of a warrant in the amount of \$600.00 in settlement of claim for damage.

Also

No. 3296 Resolution authorizing issuance of a warrant in the amount of \$517.25 in settlement of claim for damage.

Also

No. 3297 Resolution authorizing issuance of a warrant in the amount of \$865.20 in settlement of claim for damage.

Also

No. 3298 Resolution providing for the issuance of a warrant to John Forrester in the amount of \$825.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 3299 Resolution authorizing issuance of a warrant in the sum of \$681.95 in settlement of claim for damage.

Also

No. 3300 Resolution authorizing issuance of a warrant in the sum of \$681.95 in settlement of claim for damage.

Also

No. 3301 Communication from John E. McGrady, City Controller, requesting permission for Raymond E. Johnson, James Haley and Betty Nelson to attend the local chapter of the Municipal Finance Officers Meeting held May 17, 1979, at the Hyatt

House in Pittsburgh, cost not to exceed \$37.50, chargeable to and payable from Code Account 1048, Miscellaneous Services, Department of City Controller. (Letter date May 8, 1979, requesting permission was lost in transit).

Also

No. 3302 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Keith Cameron and Regina Hanna, to attend CETA Program Planning and Labor Market Information training session, June 11-15, 1979, Pittsburgh, Pa. conducted by U. S. Department of labor at no cost to the City.

Also

No. 3303 Communication from John E. McAllister, Manager, City Information Systems requesting permission for eight (8) City Information Systems staff members to attend TOTAL Data Base Manager System course, June 18-19, 1979, Greentree, Pa., at cost not to exceed \$850.00, payable from Code Account 1043, Miscellaneous Services, Information Systems Mayor's Office.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3304 Petition from the Senior Citizens of the Concerned Mothers of Terrace Village Multi-Purpose Facility Building, requesting a public hearing with City Council for Emergency Funds to help keep their building from closing on June 9, 1979.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3305 Report of the Committee on Finance for May 23, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3204

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Twenty Three Thousand Seven Hundred (\$23,700.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3230

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ronald Reckhart and Eileen Reckhart, his wife, in the amount of \$10,000.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 3231

A Resolution entitled, "Resolution providing for the issuance of a warrant to Irene Young in the amount of \$1,401.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative the bills passed finally.

Also,

Bill No. 3232

A Resolution entitled, "Resolution transferring the aggregate sum of One Million One Hundred Fifty-Five Thousand Dollars (\$1,155,000.00) from Bond Fund 227, General Obligation Bonds of 1973, Series "A" to various 1979 Capital Project Accounts subject to reimbursement to said Bond Fund upon the receipt of proceeds from the permanent financing of the 1979 Capital Budget."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

On Bill 3232, Sir, is that the URA loan . . . they have been authorized to loan us? It was under discussion at Thursday's meeting? Is that the URA money that we were questioning Mr. Steve George on?

Mr. Stone:

That's part of it.

Michelle Madoff:

Thank you. I will vote aye on this bill, but I will vote aye grudgingly.

Also,

Bill No. 3233

A Resolution entitled, "Resolution transferring the sum of \$2,500 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation."

Which was read.

Also,

Bill No. 3234

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by resolution No. 977, effective August 31, 1978, Resolution No. 1258 effective November 3, 1978 as amended by No. 1532, effective December 31, 1978, entitled "A Resolution adopting the 1978 Capital Budget Funds transferring Bond Funds to said Capital Funds"; by increasing the total 1978 allocation of PW 78-17, Signals, by \$52,711.52; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3256

A Resolution entitled, "Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$8,500,000 to be represented by notes issued in anticipation of the issuance of General Obligation Bonds in said amount, establishing the useful lives of projects, accepting proposals, fixing the interest rates

and maturity dates of the notes, authorizing deposits into the City's sinking fund, directing the filing of documentation with the Department of Community Affairs, covenantee that the notes will not become arbitrage bonds, establishing the form of notes and repealing inconsistent resolutions and ordinances."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

I will vote no on this bill for reasons previously stated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7

Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3257

A Resolution entitled, "Resolution amending Resolution No. 998, approved August 28, 1978, effective August 31, 1978, entitled: 'Resolution of the City of Pittsburgh authorizing the Solicitation of Proposals for \$2,403,000.00, Principal Amount, General

Obligation Bond Anticipation Notes of 1978, Series A, providing for the payment of the expenses of such sale and repealing inconsistent resolution be reallocating funds between the projects included in the Series A Notes."

Which was read.

Also,

Bill No. 3258

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Female Offenders Program of Western Pennsylvania, Inc., Welfare Rights Organization of Allegheny County and Transitional Services Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3306 Report of the Committee on Public Works for May 23, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3205

A Resolution entitled, "Resolution vacating Exchange Way between Tenth Street and Eleventh Street in the Second Ward of the City of Pittsburgh, abandoning the 10-inch waterline and the 18-inch sewer line located therein."

Which was read.

Also,

Bill No. 3206

A Resolution entitled, "Resolution accepting the Dedications of Property for the widening of Tenth Street between Penn Avenue and Liberty Avenue and Eleventh Street between Penn Avenue and Liberty Avenue in the Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3207

A Resolution entitled, "Resolution further amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, as amended by Resolution No. 189, approved February 26, 1979, effective March 1, 1979, entitled, 'Resolution providing for the letting of a contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof', by increasing the total allocation from \$456,162.41 to \$556,162.41."

Which was read.

Also,

Bill No. 3208

A Resolution entitled, "Resolution further amending Resolution No. 1067, approved October 2, 1978, effective October 4, 1978, as amended by Resolution No. 188, approved March 4, 1979, effective March 6, 1979, entitled 'Resolution providing for a Contract or Contracts for the reconstruction of the Greenfield Bridge over the Penn Lincoln Parkway, PW 77-16, providing for a Reim-

bursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the maximum authorized amount from \$2,003,000.00 to \$2,118,800.00; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3209

A Resolution entitled, "Resolution further amending Resolution No. 940, effective October 11, 1977, as amended by Resolution No. 457, effective May 11, 1978, entitled 'Providing for a Contract or Contracts with a Consultant or Consultants for Professional Services in conjunction with the inspection and/or design for the rehabilitation of various City bridges (PW 76-23 and PW 77-15)', by increasing the authorized amount from Two Hundred Twenty Five Thousand (\$225,000.00) Dollars to Two Hundred Forty Four Thousand Five Hundred (\$244,500.00) Dollars.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3307 Report of the Committee on Planning, Housing and Development for May 23, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3169

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Housing Opportunities, Inc., to provide financial counseling to purchasers of houses in the Homewood Brushton House Sale, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Robinson:

Mr. President, on Bill No. 3169, I would like to make some statements to clarify as well as amplify my concerns and position relative to the Great House Sale in Homewood Brushton, the sale of City owned and URA owned property.

First, I am firmly committed to the proposition that people who reside in the City of Pittsburgh should be aided by City Government in being able to acquire City properties before persons living outside the City. I also feel that neighborhood residents should be encouraged and aided in remaining in those communities, if they desire, and are economically able, without infringing upon the rights of others to move freely in and out of our City. Hopefully the advent of the Great House Sale in Homewood Brushton will provide the foundation for the development of a policy and guideline for the sale of City property that addressed these issues and the role of developers, both majority and minority, will play in the future development of our City.

I strongly recommend that a task force begin immediately to work on such a policy and set of guidelines.

Also, Mr. President, I would like to have entered into the record the letter that Mr. Paul Brophy, our Director of Housing, forwarded to all members of Council dated May 23, 1979.

President and Members of City Council
City of Pittsburgh

Dear sirs and Madams:

Pursuant to City Council Resolution No. 1548, adopted December 29, 1978, the Department of Housing along with Operation Better Block has been working to devise a method to provide residents of the Homewood House Sale area with the first opportunity to purchase available housing.

After considerable discussion with Operation Better Block and relevant officials of the City and the Urban Redevelopment Authority, we have agreed on a plan which addressed itself to the concerns which prompted the Council Resolution and yet does not appear to violate any federal or state or open housing laws.

The lottery selection process takes the following form: City residents would be given preference in the House Sale Lottery. applicants will be separated according to the addresses on the application) into city and non-city residents. House Sale winners would be chosen from city residents; alternates would also be chosen from city residents until no more remained in that group. The additional alternates would be chosen from non-city residents. This provides preference of city residents over out of city applicants.

Verification of residency will be made after the Lottery when the purchasers meet with City staff to discuss the program in detail and begin planning the rehabilitation of the house. Should City residency not be established, that person would be declared ineligible, with the house passing to the next alternate.

We feel this plan provides City residents first opportunity to purchase available

housing while avoiding any violation of any federal, state or local regulations.

We hope this plan complies with Council Resolution No. 1548. Should you have any questions, please feel free to contact me.

Sincerely,
Paul C. Brophy
Director

PCB:lam

Mr. Bulls:

Mr. President, I will vote no on this bill and I would like my remarks on Bill No. 3169 from the meeting of Wednesday, May 23, 1979 incorporated into the minutes of this meeting.

MR. BULLS REMARKS FROM WEDNESDAY, MAY 23, 1979:

Mr. Bulls:

What about the residents of Homewood Brushton?

Mr. Brophy:

The lottery selection process takes the following form: City residents would be given preference in the House Sale Lottery. Applications will be separated (according to the address on the application) into city and non-city residents. House Sale winners would be chosen from city residents; alternates would also be chosen from city residents until no more remained in that group. The additional alternates would be chosen from non-city residents. This provides preference of city residence over out-of-city applicants. There will be a separate selection for residents from Homewood Brushton.

Mr. Bulls:

You're not in violation of city residents?

Mr. Stone:

It's a city program; he said it's being done for the city.

Mr. Brophy:

That's correct.

Mr. Bulls:

You mean that's in Manchester?

Mr. Bulls:

Let them do it right; this is why they know about the sale; what advantage are they going to have?

Mr. Brophy:

It's just a lottery. The selection process gives preference over city residents and it still enables non-city applicants.

Mr. Bulls:

How many on the Northside? If 29 active buyers of the 32 buyers, seven of them from the northside and seven of them are other area residents; and four of them are non-city residents, how many houses could you sell that year?

Mr. Brophy:

We send advertisements to groups in the neighborhoods and the citizens in that neighborhood are notified of the sale. One of the key problems that we run into each time, is that some buyers say they want to purchase a house within three months; when the three months are up they decide that they don't want to purchase the house; that's three months wasted.

Mr. Givens:

Mr. President, I would like to make one comment on Bill 3169, its no Great House Sale, its just a House Sale, I think there are about 20 some houses involved in this particular sale. It is terminology that was used once before, but I would like to stand corrected on that terminology.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Mr. Givens
Michelle Madoff
Mrs. Masloff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 7

Noes 1 (MR. BULLS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3212

A Resolution entitled, "Resolution amending Resolution No. 1549 of 1978, as amended by Resolution No. 251 of 1979, providing for the filing of an Application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program, so as to delete HD-79-11, PA-79-01, and PA-79-05, Previously Authorized Funds (PAF) from the 1979 budget; and further, to specify Salaries and Administrative Costs in line items HD-79-08 and CP-79-01; and further, to add a new line item, PR-79-17, 'Manchester Swimming Pool' (\$300,000); and further, to decrease line item HD-79-01, 'Home Improvement Loan Program', from \$4,250,000 to \$4,000,000; and further, to increase line item HD-79-07, 'Housing Counseling Services', from \$170,000 to \$230,000; and further to increase line item HD-79-16, 'Neighborhood Development Offices', from \$150,000 to \$330,000; and further to decrease HD-79-18, 'Great House Sale', from \$150,000 to \$100,000; and further, to add a new line item, HD-79-19, 'North Side UDAG - Relocation' (\$340,000); and further to increase line item DCD-79-02, 'Neighborhood Commercial Improvement Program', from \$250,000 to \$890,000; and further, to increase CP-79-10, 'Zoning Ordinance Review', from \$30,000 to \$50,000; and further to decrease CP-79-02, Citizen Participation and Information, from \$125,000 to \$122,000; and further to reflect an increase in the

overall Grant amount from \$23,445,000 to \$24,682,000."

Which was read.

Also,

Bill No. 3213

A Resolution entitled, "Resolution providing for an agreement or agreements with Detwiler Associates for architectural services in connection with the Innovative Grant-Residential Clubs Program."

Which was read.

Also,

Bill No. 3214

A Resolution entitled, "Resolution providing for an agreement or agreements with a professional stenographic reporting service or services in connection with hearings of the Zoning Board of Adjustment, a providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3215

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Darlene Simpson for the sale of Parcel 88 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3216

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the urban Redevelopment Authority of Pittsburgh and Alvin J. Owens and Henrietta D. Owens for the sale of Parcel 98 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3217

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rene C. Hill for the sale of Parcel 68A in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 3219

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Neighborhood Housing Services, Inc., for the sale of Block 23E, Lot 220 and Block 23F Lots 441 and 414 in the Twenty-fifth Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3308 Report of the Committee on Supplies for May 23, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3226

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 3 correcting electric typewriters for the Department of City Planning, and for the payment thereof."

Michelle Madoff:

Mr. President, on Bill No. 3226, I would appreciate it if we would have an answer from Mike Perry or Bill McCray as to what happened to the old typewriters when we update the models? Are these put in a warehouse and sold later, are they given to other Departments, what happens to the old ones? These may even be typewriters that are new for people who have never had a typewriter, but I'd like to know what happens.

Mr. Robinson:

Mr. President, just a point of information, it is my understanding that typewriters that are still usable are given to other Departments, or are put in the warehouse until such time that a Department calls for a typewriter.

The Chair:

Thank you Mr. Robinson.

Also,

Bill No. 3227

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 3 high power portable frequency modulated radios for the Department of Water, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 3309 Report of the Committee on Water for May 23, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3224

A Resolution entitled, "Resolution providing for a contract or contracts for the purchase and installation of fire hydrants and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff**

**Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)**

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3310 Report of the Committee on Parks and Recreation for May 23, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3239

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with Robert Morris College of Pittsburgh in connection with this College's 1979 Pittsburgh Folk Festival Program, for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 3311 Report of the Committee on Public Safety for May 23, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3116

A Resolution entitled, "Resolution providing for an agreement with the Pittsburgh Neighborhood Alliance for the implementation of a program entitled: 'Communities Combatting Crime', in certain Community Development Block Grant Areas within the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens for Mr. Lally presented

No. 3312 Report of the Committee on Lands and Buildings for May 23, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3221

Resolution repealing Item (G) of Resolution

No. 346, approved 4/12/79 for the sale of property in the 19th Ward on Alverado Street to Steven F. & Martha J. Ackerman for the sum of \$150.00. Purchaser requests cancellation due to financial difficulty. Hand money of \$150.00 to be returned by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 3222

Resolution amending Resolution #1584, approved 1/3/79 for property in the 29th & 32nd Wards to Thomas R. Williams and Catherine J. Williams, his wife, for the sum of \$350.00. Amending to delete last parcel being "Lot 25 x 80" and also change the sale price from \$350.00 to \$250.00. All else in Resolution No. 1584 shall remain the same and in effect.

Which was read.

Bill No. 3223

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

Bill No. 3313 WHEREAS, the Iota Phi Lambda Sorority, Inc., an international business and professional woman's sorority, will celebrate its 50th anniversary on August 10th through 16th, 1979 in Chicago, Illinois; and

WHEREAS, its founder, Mrs. Lola Mercedes Parker, has provided tremendous leadership, inspiration and direction for this internationally acclaimed organization; and

WHEREAS, the Pittsburgh Chapter, Pi Chapter, was founded in 1935 and will on June 1, 1979, in conjunction with other chapters, celebrate its National Founder's Day; and

WHEREAS, this distinguished international organization has seventy-five chapters and two thousand members.

NOW THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the Citizens of Pittsburgh do honor and recognize Iota Phi Lambda Sorority, Incorporated and June 1, 1979 as their National Founder's Day.

Which was read.

Mr. Robinson moved for approval.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, I would like to ask Mrs. Jacqueline Dorsey, who is the local President, and Mrs. Marilyn Wood Baldwin, who is the past regional director, to come forward and accept this gold seal resolution.

The Chair:

We would like to congratulate the Iota

Phi Lambda Sorority, Inc., and would the young ladies come to the center please.

Mrs. Dorsey:

I would like to thank you, I am the President of the Pi Chapter of Pittsburgh and we are celebrating our 50th Anniversary and it means a great deal to us because we have been doing so much in the lines of scholarship for businesswomen and we have tried to take in all functions that will aid people in business, women in business of Pittsburgh and we want to thank you very much.

The Chair:

Congratulations to Iota Phi Lambda Sorority, Inc., and thank all of you ladies for taking time out to come to this presentation ceremony.

I notice Aggie Brose is in the audience and Aggie, I don't know if you know it or not, but you've been appointed to the Vacant Property Review Board, so congratulations. May be its condolences, I don't know.

Mr. Givens:

I have one point, I have a verbal resolution, I would like to waive Rule 8 of Council so we can have it for tomorrow. The request is from the Department of Pennsylvania Veterans of Foreign Wars, apparently, Mr. President, the letter was sent to you back just about in the middle of our budget hearing session of November 28, 1978 wherein there is a convention coming into town, wherein they had asked for some \$3,000 for their convention and they had cited the fact that where they have this convention now, for example, in Philadelphia, Philadelphia gives them some \$5,000 for their convention. Its a four day convention, and because of the magnitude of the convention, the over 200,000 members throughout the State of Pennsylvania, they can only hold it now, within Harrisburg, Pittsburgh and Philadelphia, so its on kind of a rotational basis. The other cities contribute very handsomely to this, we did not see at that particular time to give them a grant, apparently it was never brought forward at that particular time, but they are now in somewhat of a bind.

They give you some of the facts, like \$100,000 some was spent, separately from almost 1,000 hotels, that these veterans will occupy, and their wives and families. This is one of the largest, if not the largest, conventions that will come into the City of Pittsburgh.

I talked to Mr. Straussberger and the Convention Center, our own conventioners, and I know this letter had gone to certain people, including the Mayor of the City of Pittsburgh, the Convention Corporation, and several other people and apparently it fell on deaf ears, that nobody came forward to help one of the largest conventions that is coming into town.

I don't want to put the Council in the position where every convention that comes in town, that we must put up x amount of dollars for them, but I think this particular convention is one that is most noteworthy, especially a time frame in whats been happening in this country and abroad and the fact that this week, has been so dedicated throughout our nation, as Viet Nam Week, and the fact that some 47,000 men had lost their lives in this particular war and something of significance that many people do not know . . . the Viet Nam conflict caused more casualties than any previous war that this country has been in and also, the Viet Nam war had caused more dismemberment of limbs and paralysis of the spinal column, etc., through injuries, many of these came from that nasty guerrilla type warfare, bobby traps, etc., that the idea was to give casualties, not necessarily to kill, because for every person that was considered wounded or injured during the war it normally takes about 25 people behind the lines to take care of that particular individual plus the rest of his life at Veterans Hospitals, I've asked, and there is not much money gentlemen, in our Council's Contingency Fund, in fact it is down to \$400 plus from several hundred thousand dollars that we had in it when we started this year off.

I would ask this Council to approve this Wednesday, some \$400 plus from our Council's Contingency Fund, so the least thing that we can do is put up a couple flags and decorate this City to welcome the Veterans of Foreign Wars that will be upon our City in the month of June, thank you Mr. President.

The Chair:

Mr. Givens, as one who suffered a casualty in the immediate family in the Viet Nam War, I certainly sympathize with your cause, I'm just wondering if legally we can do this. When we discussed it at budget time, I believe that we didn't allocate any money towards . . .

Mr. Givens:

I don't think this ever came up at budget time, for the VFW convention, to my knowledge it did not. It came in at such a time, the 28th of November, we were pretty well into our deliberations . . .

The Chair:

I don't think it is such a worthwhile cause, we'd have a problem if we could do it legally, and with that . . .

Mr. Givens:

Well, its just like everything else, we appropriated this \$2,500 for the International

The Chair:

You're talking about the Veteran's Day Parade, which we did at budget time . . .

Mr. Givens:

No, I'm talking about the Civic Arena, what happened up over the weekend, the International . . .

The Chair:

That was an outright grant that we've been giving for years and an on going thing.

Mr. Givens:

Right, and that was a Parks and Recreation thing that they had budgeted in previous years and its something that, you know, who has priority. I feel that if we don't do anything to the veterans that come into this particular community of ours, then they can go elsewhere, and if they go elsewhere, we are trying to generate and create an atmosphere of conventioners to come into this

city of ours and if we don't help them in a little way, then the profit that they generate to the amount of money they leave here, far . . .

I think something has to be done in the business community as Michelle will probably find out, through the corporate community, through the hotel chains, to the people that get money, I think thats what they do in Philadelphia and they only do it to defray their expenses. They expend this on their budget alone, some \$25,000 just to give certain accomodations, all they like is some type of help in that particular area and I think something should be done that when these conventions come in that somebody helps them someway to welcome them to the City of Pittsburgh.

The Chair:

If the Parliamentary would search that out for us for tomorrow's meeting . . .

Mr. Givens:

Its the same thing that happened last year when we wanted \$500 from the North Side for the flags, this Council proved it through our Contingency Fund and it layed over there for one year and we put it in our Grants and Donations and it went right on through. You can waive the various laws from the Law Department, the name of it slips by me now, when we make an appropriation without going through the necessary channels or it and it can be done that way and it should be done this way in this particular instance.

Mr. Stone:

I think Mr. Givens is confusing two things, I don't think anyone has been asked here about the merits of it, I think what he is suggesting now is a procedure. I indicated to him that if it is a grant I question it. That is a red flag . . .

Mr. Givens:

It's not a grant . . .

Mr. Stone:

Whether you can do it now . . . but still in all, I think it still has to follow a procedure of an introduction, some form of legislation and

then go through. I'm not opposed to it as such. I think you may have a problem with us approving it on Wednesday without more. There is no bill.

Mr. Givens:

I said I made a verbal resolution Mr. Stone, that will follow with a written resolution to be presented . . .

Mr. Stone:

Verbal ordinances are kind of strange, to me at least . . .

Mr. Givens:

A verbal resolution then for a request . . . I only received this the other day myself and the urgency of getting the thing approved is . . .

Mr. Stone:

I'm not following that either, I've never heard of a verbal ordinance.

Mr. Givens:

Well you just heard of one now.

Mr. Stone:

That's right, that's why it's illegal.

The Chair:

Mr. Stone, Mr. Givens . . . we may be confusing apples and oranges. First of all, the Veterans Parade is strictly a local affair, a local Veterans Parade. The state VFW Parade is one that all units from different parts of the state take part in, I presume that they all share in the expense of the convention and of the parade, and what you are talking about, decorating graves and other things is something a little different. As far as the parade itself is concerned, I believe the expenses are taken care of by the various chapters of the VFW.

Mr. Stone:

Mr. President, I don't want to have my comments be interpreted as the City Solicitor's comments, I just have gut reac-

tions, I think if he wants to do something, he should do it in the proper form, I have no objections thereafter, I'm just suggesting, I'm just trying to caution him, I don't know how you can go with an oral ordinance because to make some dispersal it would appear to me it is not a resolution but rather an ordinance.

Mr. Givens:

I can assure you there is nothing illegal about the resolution that I proposed, it is one that as I indicated, the seriousness of it, that if any convention comes in, they will be wanting the City of Pittsburgh to help defray them. I also bring parallel issues that we have many things that happen within the City that we give grants, donations and other out of our Contingency Fund, that is there for a purpose, that is what that Contingency Fund is there for, for an unforeseen event, in this particular case . . .

Mr. Stone:

You're confusing the whole thing, I don't think anyone is fighting over the merits of it, I don't think anyone has voted against it, all I can tell you is if you want an ordinance passed, you have to pass an ordinance in the manner and procedure as prescribed . . .

Mr. Givens:

It's not an ordinance, it's a resolution.

Mr. Stone:

I think you ought to do that instead of fighting it, making everyone seem like they are against it . . . no one has expressed a viewpoint and no one has been called to say yes or no, but they are telling you there are certain ways that ordinances have to be introduced. Now, I'm only suggesting that, I'm not the City Solicitor, so I suggest without bellyaching here, that you ask the Solicitor for an opinion and if you can you might get it done without trying to hang everybody because it is a late presentation.

Michelle Madoff:

I think that the issue has come up time and again and it might be in our interest to have Mr. Doug Long to meet with us some time after one of our meetings of Post Agen-

da and tell us what the Convention Center is proposing to do when various conventions come to town. Do they have banner to welcome them, are they working with the Golden Triangle Association, are they working with the County, should we in next year's budget allocate x number of dollars because it is for the good of all of us if we do promote conventions, I think that would be one way in which we ought to proceed and you touched on something Mr. President, the Veterans of Foreign Wars do have. I'm sure, flags available that I'm sure they are going to use to welcome members from the other parts of the country.

I think your point is well taken, Mr. Givens, I don't think anyone is in disagreement and I think we ought to proceed for other issues that will generate business in the City to meet with Mr. Doug Long and to address this issue to him. And with reference to the legality and the time frame of your verbal resolution, which may or may not be legal, it might be in order to find out whether a verbal ordinance or resolution can be followed up with a written one and therefore legalizing, if I may coin the term in this instance, your oral recommendation. It may be just as legal as not legal and we will find out and if it is then you can just put it in writing and have it ready for the vote next Wednesday by waiving Rule 8.

Mr. Givens:

Well, if this Council would like to stay in session for a few minutes I'll have the secretary type it up real quick.

Michelle Madoff:

I don't think it is necessary, if it's legal, we can just . . .

Mr. Givens:

I think it's belaboring the point, I tried to get it introduced, I will still, Mr. President, introduce it, forget about Rule 8, I will then have it for next Monday, but our time span is getting down very, very close, by the time it gets over for the Mayor to approve it or disapprove it and see how things go from there then.

Michelle Madoff:

May I make that in the form of a motion or a request that we have Mr. Doug Long of the Convention Center come and address us on these issues. Let's find out what he is doing with it.

Mr. Givens:

It's fine, I called the head of that, I just quoted his name, Mr. Strong, and ask them if they can do anything, his answer back to me was that we cater to the "type of convention that is more or less exhibition type convention", meaning that of material goods and where that their convention center is not geared for a convention of this nature. I don't know if he is right or wrong.

Michelle Madoff:

We're not using the hall there, they are probably using hotels

Mr. Robinson:

Mr. President, just as a couple points of clarification, the Pittsburgh Visitors and Convention Bureau had the responsibility, the primary responsibilities for bringing conventions to our community and seeing to their needs, Mr. Long as the Director of the David L. Lawrence Convention Center, is supervising the construction and does have some monies in his budget to do some selling of that facility. The new budget for the Auditorium Authority which Council is in the process of reviewing does reflect an allocation to the Convention Center which would then be made available to the Convention Bureau to provide some of the kinds of services that Councilman Givens is referring to. Mr. John Bosancini is the Executive Director of the Visitors and Convention Bureau and it might be more appropriate to have him here than Mr. Long. That is the agency that will carry on the primary responsibility for promoting conventions in our new convention center, particularly those conventions where they are coming from out of state. Mr. Long and his small staff will be primarily concerned with conventions in the state, but the money for advertising the money for promotions, such as the one Mr. Givens is suggesting are being made available in the Auditorium Authority

budget, and it is a question of to whom are we going to be contracting with to provide those kind of services and I think Mr. Bosancini could shed some light on what they plan to do over the next five or six year.

Michelle Madoff:

Would it be in order then Mr. Robinson to have him come and address us and just brief us quickly as opposed to Mr. Doug Long.

Mr. Robinson:

Well, you could have both of them, but I think Mr. Bosancini would be able to give you a lot more help.

The Chair:

So you want Mr. Long and Mr. Bosancini.

Mr. Givens:

Mr. President, this is exactly the point that I was trying to get to that Bill is bringing out, the monies received from the City of Philadelphia are used to defray the cost of their memorial services which are held in conjunction with convention, it is also used for the parade, prizes, delegate badges and to advertise cities in which the convention is held and publicize. So it's right down that alley, but yet in talking with Mr. Strong over there, no one seemed to pick up on this and it's the biggest convention that comes into town.

Mr. Stone:

Mr. President, I'm going to try once more . . . Mr. Givens has a problem with procedure and I've been saying it's procedure, we haven't gotten to the merits yet and yet he wants to solve the procedural problem by discussing the merits.

Mr. Givens:

I indicated I will follow the normal procedure by putting this in written resolution form for next Monday, okay?

Mr. Stone:

All right, now let me try once more to try

and help you if I may.

Mr. Givens:

You don't think it's legal, I know . . .

Mr. Stone:

That's not what I said . . . I suggest you get the bill in and ask the City Solicitor if that's so, and if he says it's okay, you automatically have a second, I don't know what more I can do for you, that's what I've been trying to say here. I'm not saying there is anything wrong with what you are trying to do, it's just the way you are trying to do and I think if you realize that I think you might get it accomplished.

Mr. Givens:

Somebody is trying to be inventive

The Chair:

Over the weekend, we had a further slide up on Royal Street, I guess you are all familiar with it, I just thought I'd bring you up to date that one of the homes has already been acquired by the City and has been torn down and an impartial appraiser was in that area and reached a settlement with Mr. Meznik, I believe was his name, owns the end house, and now there is further core boring going on and until those results are final, we hope in the next couple of days, it's possible that the other people would like to sell and the Mayor has assured them that the impartial appraiser will also talk to them and hopefully reach some settlement with them. But, the fellow who sold on the end is quite satisfied and we hope that the other three will also be.

It seems to be an impossible situation, I guess you saw it on TV and in the newspapers, but if you see it first hand, it just seems to me it would be impossible to come back to that area, I wouldn't want to live there, I wouldn't want the danger of further slides, there is mud in all those homes and furniture, some of it's been ruined and they have all moved out and the furnitures have all been moved out, and hopefully within the next couple of weeks that sad chapter will be concluded.

Mr. Stone moved to excuse Mr. Lally for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, May 21, 1979.

Mr. Bulls seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, June 4, 1979

No. 24

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, June 4, 1979

PRESENT:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

ABSENT:

Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3314 Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Depart-

ment of Transportation for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road Slide correction (PW 79-03; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3315 An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 7 by changing from "R3" Multiple-Family Residence and "C3" Commercial Districts to "RP" Planned Residential Unit Redevelopment District all that certain property having 119 feet of frontage on the northerly side of Boggs Avenue west of Wyoming Street being Lots Numbered 9 and 56, Block 4-L in the Allegheny County Block and Lot System, 19th Ward.

Also

No. 3316 Resolution approving a Conditional Use under Section 2801-1-A(33) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to St. Justin's Plaza, Inc., for construction of a ten story building to house 98 units of Housing for the Elderly on property having 119 feet of frontage on the northerly side of Boggs Avenue west of Wyoming Street being Lots Numbered 9 and 56, Block 4-L in the Allegheny County Block and Lot System, 19th Ward.

Also

No. 3317 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map

Sheet No. 8 by changing from "S" Special District and "M1" Limited Industrial District to "C2" Highway Commercial District all that certain property having 213.91 feet of frontage on the westerly side of Banksville Road bounded by: Blanksville Road; Lots Numbered 252, 230, Block 35-E, Lots Numbered 231, 230, Block 35-A in the Allegheny County Block and Lot System, 20th Ward.

Also

No. 3318 Resolution approving a Conditional Use under Section 2801-1-A-(22) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to Donald B. Bierwerth for construction of a two-story 36-unit motel with outside parking facilities for 42 cars in a "C2" Highway Commercial District on property having 213.91 feet of frontage on the westerly side of Banksville Road bounded by: Banksville Road; Lots Numbered 252, 230, Block 35-E; Lots Numbered 231, 230, Block 35-A in the Allegheny County Block and Lot System, 20th Ward.

Also

No. 3319 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning district Map Sheet No. 20 by changing from "R1" One-Family Residence District to "C2" Highway Commercial District all that certain property bounded by: Buttermilk Hollow Road; Lot Numbered 11, Block 243-C in the Allegheny County Block and Lot System; a line parallel to the center line of Mifflin Road located 74.42 feet west of aid center line; Lot Numbered 50, Block 243-G in the afore-said system, 31st Ward.

Also

No. 3320 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jesse Crews for the sale of Parcel C-23 in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10.

Also

No. 3321 Resolution approving a form of contract for Disposition of Land by and be-

tween the Urban Redevelopment Authority of Pittsburgh and Jesse J. Murry for the sale of Parcel 6 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 3322 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pearlie L. Johnson and Kathryn Johnson for the sale of Parcel 64B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3323 Resolution approving form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Arthur T. Craft, Jr. for the sale of Parcel 121 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3324 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Samie L. Terry for the sale of Parcel 38 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3325 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph L. Wicks for the sale of Parcel 54B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3326 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and New Zion Baptist Church for the sale of Parcel 178 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also

No. 3327 Resolution providing for an agreement with the Department of Pennsylvania Veterans of Foreign Wars of the United States 1979 Convention Corporation for implementing a State Convention during the dates June 27-30 inclusive, 1979, and providing for the partial payment of costs thereof.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson:

Councilman Givens, do you have a specific amount of money that you are requesting?

Mr. Givens:

The amount that was requested was \$3,000, Bill, I didn't put a specific amount in because I don't know right now, if we can locate any money. We are down to \$400 plus in Council's Contingency Fund. I am researching with Parks and Recreation to see if there is any money out there, if there is, then I will put a dollar figure to it.

Mr. Robinson:

Does that mean that we would have to pass another bill?

Mr. Givens:

No, by Wednesday I will have this information and I will amend that to so record the funding for that particular legislation.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Lally presented

No. 3328 Resolution repealing Resolution No. 763, approved 7/5/78 for the sale of property on O'Hern Street designated as Block 23-E-46 to Henry W. and Mary J. Ewalt for the sum of \$700.00. Repealing due to City not having clear title. Hand money in the amount of \$100.00 to be returned by the Department of Lands and Buildings.

Also

No. 3329 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act. No. 514 of 1947, as amended.

Also

No. 3330 Resolution providing for the filing of a petition or petitions for the sale of certain property acquired at tax sale in accordance with Act No. 514 of 1947, as amended, to Frank H. McKean and Harvey E. Robins for the sum of \$17,400.00.

Also

No. 3331 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$21,000.00 to Carl J. Bonidie, Inc. for extra work in connection with Weatherization Program at City-County Building, Payable from Capital Project LB 78-09, City-County Building Weatherization Program.

Also

No. 3332 Communication from Harold West, Director, Department of Lands and Buildings, requesting amendment of Council Bill 3130 of 1979 relating to work to relieve distressed earth condition at Royal Street by reducing amount payable from 1978 Community Development Block Grant Fund Unspecified Local Option, from \$250,000.00 to \$220,500.00.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3333 Resolution amending Resolution No. 1038 approved December 31, 1976 as amended by Resolution No. 82 approved February 15, 1977, amended by Resolution No. 387 approved May 5, 1977, amended by Resolution No. 531 approved June 10, 1977, amended by Resolution No. 801 approved August 17, 1977, amended by Resolution No. 1018 and 1019 approved October 24, 1977, amended by Resolution No. 1334 approved December 30, 1977, amended by Resolution No. 726 approved June 30, 1978, amended by Resolution No. 1422, approved December 19, 1978 entitled: "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds" by decreasing appropriations for five line items and increasing appropriations for line item WD-77-5 "Water line work related to Public Works, A.B. Safety/Capacity and PennDOT Street Rehabilitation Project".

Also

No. 3334 Resolution amending Resolution No. 1350, approved December 30, 1977, amended by Resolution No. 1084, approved October 2, 1978, entitled: "Resolution adopting the 1978 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by decreasing appropriations for Capital Budget Projects WD-78-4 "Water Meters" and WD-78-9 "Building, Structures; Emergency Repairs" and increasing appropriations for WD-78-3 "Water Line work related to D.P.W. Work".

Which were read and referred to the Committee on Water.

Michelle Madoff for Mrs. Masloff presented

No. 3335 Resolution providing for a contract or contracts for the removal of dead and diseased trees in public rights-of-way and parks and providing for payment of the cost thereof.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3336 Resolution amending Resolution No. 1529, approved December 31, 1978, entitled: "Providing for the letting of a contract or contracts for the furnishing and delivery of Combination Tapping and Drilling Machine for the Department of Water, and for the payment thereof", by increasing the amount from \$7,500.00 to \$10,000.00.

Also

No. 3337 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 10 suction units, 10 folding bags, and 1 manikin, for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3338 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Eight (8) portable cardiac patient monitoring and defibrillation equipment for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3339 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of #27 two-way radios for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3340 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Pressure-Demand Air Masks, Cases, etc., for the Department of Fire, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3341 Resolution providing for the issuance of a warrant to Alfred Mercurri in the amount of \$810.93, in full settlement of claim for damages to his 1977 Ford Granada

automobile, and providing for the payment thereof.

Also

No. 3342 Resolution authorizing issuance of a warrant in the sum of \$701.55 in settlement of claim for damage.

Also

No. 3343 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or destroyed.

Also

No. 3344 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Director Smith and Mr. Philip Schugar, to attend U.S. Department of Labor meeting on implementation of federal monitoring unit of Summer Youth Employment Program, Philadelphia, Pa. June 7, 1979, at cost not to exceed \$250.00, payable from CETA Trust Fund.

Also

No. 3345 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Walter Fortson, to attend Reporting and Recordkeeping course relative to CETA re-enactment, Lancaster, Pa., June 7-8, 1979, at cost not to exceed \$185.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3346 Report of the Committee on Finance for May 30, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3259

A Resolution entitled: "Resolution providing for the issuance of a warrant to John L. Golembeski in the amount of \$1,000.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 3260

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$1,045.37 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3261

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Grogan, Graffam, McGinley & Solomon, Attorneys at Law, in the amount of \$200.00, in payment for professional services rendered to the Council of the City of Pittsburgh without previous authority of law."

Which was read.

Michelle Madoff:

On Bill 3261, in the agenda item on Thursday, it didn't specify what the services were, and for \$200.00, I wasn't too curious, I don't think anybody caught it, but I wonder if I could find out who requested the services of the attorneys and I understand it was to find out whether we could have a legal holiday on Martin Luther King Day, which I have no objection to, I just wonder why we couldn't have done it in house.

Mr. Perry:

Mr. Bulls had requested this opinion.

Michelle Madoff:

Who authorized it?

Mr. Perry:

Council.

The Chair:

It's his prerogative, it is the prerogative of any Councilmember.

Michelle Madoff:

Fine, I just wanted to know why we couldn't have had it done in-house? Did Mead Mulvihill say we couldn't do it and we wanted another opinion?

Mr. Bulls:

What had happened, is that I had contacted Ken Fields about the possibility of making Martin Luther King Day a holiday for the City of Pittsburgh. He said something about the unions had negotiated what would be the contract and I didn't take his word, so I talked to Mr. Perry and I sought outside legal counsel about it.

Mr. Perry:

That is routine Michelle.

Michelle Madoff:

In other words if Michelle Madoff wants to check on something, do I have to come back for a vote of Council, is that what happened? We did vote in Council on that?

The Chair:

No, that is the prerogative of the individual Councilmember. If you want to seek outside legal help which pertains to our business, then you feel free to do so. That has been the procedure in the past regardless of who the Councilperson was.

Michelle Madoff:

Don't get me wrong, I have nothing against Martin Luther King Day, I just want to know what procedure is.

Mr. Stone:

They have to notify you Jeep on it.

The Chair:

Yes, it is sort of proper, but at the same time if it is City business, we are going to get the bill and we are going to find out what information they were seeking anyway.

Michelle Madoff:

It was just the principal of the thing.

The Chair:

If I may ask, what decision did they make?

Mr. Bulls:

They thought it could be done.

Michelle Madoff:

It could?

Mr. Bulls:

It could.

Also,

Bill No. 3293

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Francis Community Mental Health Center for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8 **Noes** None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3347 Report of the Committee on Public Works for May 30, 1979 transmitting

sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3244

A Resolution entitled, "Resolution granting unto 445 Fort Pitt Associates, Incorporated, 1425 Beaver Avenue, Pittsburgh, Pennsylvania, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, a reinforced concrete vault with fixed and hinged steel grating. Said vault to be located at 445 Fort Pitt Boulevard in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3245

A Resolution entitled, "Resolution further amending Resolution No. 61, approved February 6, 1979, effective February 9, 1979, as amended by Resolution No. 262, effective April 3, 1979, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection and design of the Larimer Avenue Bridge and providing for the payment of costs thereof', by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from Fifty Eight Thousand Four Hundred Fifty (\$58,450.00) Dollars to Sixty Four Thousand Fifty (\$64,050.00) Dollars."

Which was read.

Also,

Bill No. 3246

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 675, approved 8-16-76, as amended by Resolution No. 747, approved 8-16-77, as amended by Resolution No. 1020, effective 10-27-77, as amended by Resolution No. 4, effective 1-3-78, as amended by Resolution No. 725, effective 6-30-78, as amended by Resolution

No. 827, effective 8-3-78, as amended by Resolution No. 1333, effective 11-30-78, as amended by Resolution No. 21, effective 1-19-79, as amended by Resolution No. 273, effective 4-3-79, entitled, 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing the deposit of funds in a bank account', by creating new line items in Exhibit I."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3348 Report of the Committee on Planning, Housing and Development for May 30, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3218

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David J. Mistick and Mary Jane K. Mistick for the sale of Parcel 242 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	None
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And a majority of the votes of council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3349 Report of the Committee on Supplies for May 30, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3254

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of miscellaneous replacement and repair tools for the Department of Water and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3350 Report of the Committee on Lands and Buildings for May 30, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3250

A Resolution entitled, "Resolution providing for the sale to the Commonwealth of Pennsylvania, in lieu of condemnation vacant land in the 20th Ward, being Block 16-A, part of Lot 252 containing approximately .93 acres along Banksville Road."

Which was read.

Also,

Bill No. 3251

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3283

A Resolution entitled, "Resolution providing for the purchase from John P. Remmick and Bette L. Remmick, his wife, for public purposes, certain property at 1045 Royal Street, 26th Ward, designated as Block 47 E Lot 236, for \$28,000.00, plus proper closing expenses; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mr. Robinson

Mr. Stone

Mr. DePasquale
(Pres't)

Ayes 8

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTION

Mr. Robinson:

Mr. President, Members of Council, distinguished guests, its an honor today to have the opportunity to read to you a resolution that I think certainly speaks to a change in our society and that change relates to the new role that women are playing particularly in employment opportunities that they heretofore had not had an opportunity to enjoy.

We are very fortunate to have a number of women in our midst who I understand took some time off from their jobs, some of whom are losing as much as \$200 for today's work, maybe Jim Lally can write them a check.

Mr. Lally:

I don't see any of my members there, that's what I was looking for Bill.

Mr. Robinson:

But I would just like to read this resolution to you and then ask two young ladies to come forward to accept a gold seal resolution and then say a few words.

Mr. Robinson presented

Bill No. 3351 WHEREAS, women are 49% of the entire workforce, and;

WHEREAS, women have been systematically excluded from training and apprenticeship programs and entry-level jobs in the skilled trades and non-traditional industrial jobs, and;

WHEREAS, among many higher paid skilled workers, such as carpenters, plumbers, electricians and painters, the proportion of women ranges from less than one per cent to about three per cent, and;

WHEREAS employed women have special needs with regard to child care, pregnancy and other health related benefits, and;

WHEREAS, minority women are discriminated against doubly, and;

WHEREAS, working conditions are often detrimental to women because of sexual harassment and the isolation of tokenism, and;

WHEREAS, women have demonstrated capability in every area of non-traditional work, during World War II and currently, in token positions,

NOW, THEREFORE

BE IT RESOLVED that the Mayor and this Council on behalf of the citizens of this

City salutes Hardhatted Women, Women of Steel, Coalminer Women's Support Team, the YWCA's Non-Traditional Job Project and is setting aside the week of June 4th through June 10th, 1979 in the City of Pittsburgh, to honor women in non-traditional jobs, particularly in the skilled trades and industry.

Which was read.

Mr. Robinson moved for adoption.

Mr. Givens:

Mr. President, we are going to have to have some discussion on this resolution.

Mr. Lally:

Yes, Mr. President, I would like to discuss the third Whereas:

WHEREAS, women have been systematically excluded from training and apprenticeship programs and entry-level jobs in the skilled trades. . ."

this is not true. . .we have women apprentices, we have women trainees, we have women laborers working in our shops in our trade, we have women carpenters, we've had women apprentices in most all the trades for the last four or five years, so I don't know where they've been excluded.

Michelle Madoff:

Mr. Lally, what percentage?

Mr. Lally:

The percentage is below five percent, which. . .

Michelle Madoff:

We want to bring it up to 50%

The Chair:

That is what I think they are trying to bring out, the percentage, and if you go by percentages, obviously, something has been amiss over the years. I'm not saying that recently they haven't, but down through the years apparently, something is lacking.

Mr. Lally:

I think that in every trade in the building trades, which I represent, there are women represented as journeymen, as apprentices, as trainees, black and white women, so there has been no exclusion either way. Last year we had 165 applicants for my own trade and there were ten accepted. Proportionately, to the same number of apprentices that we take. . .

Michelle Madoff:

Ten out of what percentage would that be?

The Chair:

Well, Jim I'm sure none of us want to get into a hassle, I believe they are basing it on the percentages over a period of years which is a low percentage.

Mr. Lally:

Its been years, its been in low percentage for everybody, this isn't just women, "Jeep", I'm not arguing about that, its been everybody.

Mr. Givens:

Mr. President, may I recommend that if Mr. Robinson so desires, to just eliminate that one Whereas clause, I think it would take care of the rest of the resolution.

Mr. Bulls:

If I may, as I read this resolution, I don't think that you were talking about five years ago, I think you were talking about 10 years ago, 20 years ago, I think women and minorities have a lot of catching up to do and I think this clause is appropriate.

Michelle Madoff:

Mr. Robinson, may I make a comment. . .where I would oppose taking it out and I was the one that raised the issue of percentages, I think in all fairness, I know Mr. Lally and I have discussed this issue many times and I know of women that he has personally offered jobs to and tried to help get jobs and I think that ought to be in the record.

Mr. Robinson:

Well, let me just say that the intent of the resolution is not to castigate any aspersions on the labor movement or any of the very fine efforts that have been launched in the City of of course Jim has been a part of that and I certainly wouldn't want him to think that that was the intention of the resolution, the intention is a very positive one.

I think Councilman Bulls point is very well taken, we are certainly not referring to things that have occurred most recently, because I think you are correct, Jim, that the record does state that labor has made a lot of fine efforts, The fact that these women are here today, many of whom are participating in unions, in fact the building trades and others have done quite a bit, I think one of the significant things is that the interpretation and perception of people who have been excluded or feel they are excluded is far different from those who perhaps, feel every opportunity has been afforded. It is for that reason that I personally would not want to take that Whereas clause out, because I think that those women and those individuals who are attempting to be included, for the most part still feel that they are excluded, but in no way is this resolution designed to take anything away from what the labor movement has done and is presently doing for women in minorities, and I certainly wouldn't want you to think that, or any other member of Council that that was the intention.

Mr. Lally:

Well, that clarifies a lot Bill, but the fact remains that we are under a mandate from the federal government for a number of black women, black men, white women, white men and we are under that mandate today, and every trade and the building trades are under the same guidelines. So we certainly have tried our best to do and comply with.

Mr. Robinson:

Right, and I don't think either one of the ladies who will come forward, if Council so desires to pass this resolution, would say

anything to dispute your comments or dispute mine, as I said this resolution is introduced or offered in a positive vein to hopefully show the support of this Council and this City for all positive efforts to include minorities and women and in no way to cast aspersions on any past wrongdoings or to point a finger at anyone.

The Chair:

I presume that Mr. Robinson wishes the resolution to pass, I need a second on Mr. Robinson's motion to approve.

Michelle Madoff seconded the motion.

Mr. Stone:

Mr. President, before we vote on this, I think in fairness now with the exchange of comments, there is really no difference, Mr. Robinson has indicated the whereas is merely a preamble it is reciting what has been in the past and Mr. Lally has indicated there is an effort now to change things and those who are making efforts to change have not been castigated because they are making a move and I think in that light as we have now indicated, this resolution is not in contradiction with anyone at this time.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson:

Would Miss Titus and Miss Drapkin please come forward.

Mr. Stone:

Mr. Robinson, I want to know which one is making \$200 per day, because I've got someone in my fraternal groups looking for a wife like you.

Miss Drapkin:

I just want to say, we'd also like to know who is making \$200 a day.

Mr. Lally:

If you'd join the right trade you'd make \$200 a day.

Miss Drapkin:

I'd like to say too, in terms of figures, I know I'm in Teamsters Local #2499, I am the only woman tractor trailer driver employed in Local #249, as far as I know, to the best of my knowledge, the first that was ever there, I was surprised to learn that, I've been a tractor trailer driver for about two years now.

I am here today as a representative of Hardhatted Women which is a recently formed organization of women working in non-traditional blue collar employment in the Pittsburgh area. However, in being the recipient of this proclamation, I'd like to acknowledge all of the women in Pittsburgh who work in non-traditional employment, many of whom have been doing this for a number of years. I would also like to commend those organizations which offer support to these women, including Hardhatted Women, Women of Steel, Coalmining Women's Support Team, Teamsters for a Democratic Union and the YWCA's non-traditional job project training program.

As women in a "man's world", we are able to enjoy the financial benefits which women in traditional women's jobs usually lack. We have also learned skills which make our employment opportunities greater than most other women. We work in unionized shops which afford us greater medical benefits, often better and safer working conditions and greater job protection than do

non-unionized work places where most women are employed. This is important for all of us and particularly for those of us who are single heads of households.

But, as women in a traditionally male job, we also face numerous obstacles at work. From discriminatory hiring and firing practices on the part of the employers to discrimination from our union officials whether in apprenticeship training programs or through patronizing attitudes, to verbal and sexual harassment from management and or out co-workers.

Now, this is not to say that the reception that we get at the work place, is totally negative, not at all. While old attitudes are very difficult to break, in fact, we have found that we get a lot of support from our male co-workers and are able to win their respect once they realize that we are there to do a job and can do the job. Given the economic situation in our country today, having a skill or a trade is invaluable. To all the women in the community who have ever considered or toyed with the notion of becoming a truck driver, a plumber or a carpenter, we would all like to say to them, don't be intimidated. There are many problems, there is no question about it, we wouldn't deny it, however, we would all tell you the advantages are well worth it.

With organizations such as Hardhatted Women recently being formed, we hope it will make it easier for women to get into and be able to stay in these jobs. That if women have to fight at these jobs you will have a number of organizations there to help you. Through rank and file activity at the workplace and inside of our unions, we hope to become a part of the labor movement and improving working conditions for ourselves and for our co-workers.

In closing I would like to thank City Council for the proclamation and for recognizing these women who have shown and will continue to show that we are capable of performing these jobs. We hope that this formal recognition by Council will play some part in dispelling prejudice, especially at this time when affirmative action programs are under serious attack around the country.

Finally, we would like to invite everyone here to an open panel discussion which Har-

dhatted Women is holding this Wednesday evening in conjunction with Council's proclamation. The panel is on the topic of working in non-traditional jobs and it begins at 7:30 at the YWCA at Fourth and Wood Downtown.

Thank you very much.

Mr. Lally:

Mr. President, would you have the girls identify themselves and where they work and what union they belong to please?

Michelle Madoff:

Slight correction, the women...

Mr. Lally:

Women, all right, whatever you want.

Michelle Madoff:

Girls are little things that run around in diapers... little ones.

Linda Butcher - Welder - Marine and Ship-builders

Joan Bondair - Milrights Local #2235

Nancy Murray - United Brotherhood of Carpenters - Local #1129, Kittaning, First Journeywoman Carpenter to finish in Pennsylvania.

Barbara Hunnicut - Carpenter's Apprentice - Local #165

Lee Prohaskin - Carpenter's Apprentice - Local #142

Mr. Lally:

Very nice.

There, you see Mr. President, that we do have three of the six women here belong to the Building Trades, that's carpenters and millwrights, so we don't discriminate.

Mr. Stone:

I think you passed the test.

The Chair:

I hope all of their dues are paid up. \$200 a day, that's \$50,000 a year. . .Willie Mays

missed his calling.

Mr. Givens:

Now I know where to send my wife.

The Chair:

No, I don't think the girls make that much. Nice to have all you girls here, glad to take part.

Mr. Coyne:

Mr. President, on Wednesday there is a bill on the agenda to pay for a trip to Harrisburgh for Mr. McGee and Mr. Wodida from the Public Works Department with regard to Benton Avenue. I'd like to have the City Clerk have both of those individuals come to the Council meeting on Wednesday to explain what the holdup is on the construction of Benton Avenue.

The Chair:

They're going to Harrisburg?

Mr. Coyne:

They went to Harrisburg already.

The Chair:

Mr. Perry will you take care of that matter?

Mr. Stone:

Mr. President, if I may, some of you may be aware that the Legislature of the Commonwealth of Pennsylvania is resently conducting budget hearings and the budget is going up and down at this point, but there is a portion of it that is of grave importance to this particular, that is the Highway Funding Bill that covers some \$202 Million. I would be remiss as Council's representative to the Southwest Regional Planning Commission, on behalf of that body covering six counties in Southwest Pennsylvania, I sent out today, in line with the request of all of those County Commission Representative, a request that they contact all their Senators and all their Legislators, it is very important to this particular region, probably more than any other region in the Commonwealth of Pennsylvania, that we have the \$202 Million.

I think this matter has gotten to a point that it must this year be non-partisan, even though I will not pass the fact that the Republican Party last year, did not cooperate with the Democrats and Democrats this year would like to return that favor. But, I think in the interim in that political exchange is a more serious problem.

Right now, we are trying to raise somewhere between 10% and 20% of the monies necessary for this particular region in order to meet the federal match of some 80% to 90%. I think we can but realize that if you can't wipe away the need and can't raise 10% to 20%, how in the heavens are you going to raise eventually 100%? And that is why I, as the Chairman of Southwest Regional Planning sent out a letter to all of its Commission Members encouraging as I indicated earlier, the Senators and Legislators of the Commonwealth of Pennsylvania, relative to the highway funding portion, that they place partisan politics aside and that we do

something about raising the necessary funds so that we will not lose close to \$1 Billion in highway funding from the federal funds.

The Chair:

Thank you Mr. Stone.

Mr. Robinson moved to excuse Sophie Masloff for absence from this meeting.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Tuesday, May 29, 1979.

Mr. Givens seconded the motion.

Which motion prevailed.

And on motion of Mr. Robinson

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, June 11, 1979

No. 25

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, June 11, 1979

PRESENT:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

ABSENT:

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3352 Resolution providing for a Cooperation Agreement or Agreements with

the Commonwealth of Pennsylvania, the County of Allegheny and the Authority for Improvements in Municipalities of Allegheny County regarding payment of the non-federal share in connection with the reconstruction of the Thornburg Bridge, and creating a special trust account in connection therewith.

Also

No. 3353 Resolution providing for an Agreement or Agreements with Allegheny County for construction by the County of a Footbridge near Oakwood Road, in the 28th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Bulls seconded the motion

Which motion presented.

Mr. Givens presented

No. 3354 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet Nos. 6 & 7 by changing: (A) from "R5" Multiple-Family Residence District and "M2" Limited Industrial District to "R4" Multiple-Family Residence District all that certain property bounded by: Allegheny Avenue; Jabok Way; Lot Numbered 148, Block 22-S in the Allegheny County Block and Lot System; North Avenue West; Brighton

Road; Western Avenue; the zoning district boundary line of the "C1" Neighborhood Retail District located on the northerly side of Western Avenue between Rope Way and Brighton Road; Rope Way and Dounton Way, 22nd Ward; (B) from "R5" Multiple-Family Residence District and "C3" Commercial District to "R4" Multiple-Family Residence District all that certain property bounded by: Galveston Avenue; Maolis Way; the easterly property boundary of Lot Numbered 53, Block 8-A in the Allegheny County Block & Lot System; Western Avenue; Rope Way; North Lincoln Avenue; Brighton Road; Ridge Avenue; the zoning district boundary line of the "C3" Commercial District located on the northerly side of Ridge Avenue between Rope Way and Galveston Avenue; and Chapel Way, 22nd Ward.

No. 3355 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet Nos. 6 and 7 by changing from "C3" Commercial District and "M1" Limited Industrial District to "A1" Commercial-Residential Associated District all that certain property bounded by: Allegheny Avenue; Dounton Way; Rope Way; Western Avenue; Lot No. 54, Block 8-A in the Allegheny County Block and Lot System; Maolis Way; Lot no. 239, Block 7-D in the aforesaid system; and North Lincoln Avenue, 22nd Ward.

Also

No. 3356 An Ordinance amending the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 8 by changing: (A) from "R2" Two-Family Residence District to "M1" Limited Industrial District all that certain property bounded by: Coast Avenue; a line parallel to the center line of an Unnamed Way situated southeast of Banksville Road between Coast Avenue and Cagwin Street and located 40 feet northwest of said center line; the "M1" Limited Industrial Zoning District boundary line south of Coast Avenue between Banksville Road and Bowmore Street; (B) from "R2" Two-Family Residence District to "S" Special District all that certain property bounded by: Coast Avenue, an Unnamed Way situated southeast of Banksville

Road between Coast Avenue and Cagwin Street; Cagwin Street; and a line coinciding with the Parallel line mentioned in item (A) above extending between Cagwin Street and Coast Avenue, 20th Ward.

Also

No. 3357 Resolution approving a Conditional Use under Section 993-01 (a)A(8) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, for erection of an 8-story and basement rear extension to Western Psychiatric Institute and Clinic on property zoned "I-C" Institutional-Civic District and located on the northeast corner of O'Hara Street and DeSota Street, 4th Ward.

Also

No. 3358 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for Improvements in Housing Authority of the City of Pittsburgh Communities in Support of Modernization and Rehabilitation.

Also

No. 3359 Resolution amending Resolution No. 1267 of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution No. 829 of 1978, as amended by Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978, as amended by Resolution No. 252 of 1979, as amended by Resolution No. 308 of 1979, entitled "Providing for the filing of an application by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program, so as to correct an error in the Department of Housing line item Total; and further, to correct line item CP-78-04, "Community Development Administration", to reflect the following: Planning Department Salaries - \$191,829.33, Treasury Department Salaries - \$23,170.67, Administrative Costs - \$55,000.00.

Also

No. 3360 Resolution amending Resolution No. 1046, of 1976, as amended by

Resolution No. 551 of 1977, as amended by Resolution No. 595 of 1978, as amended by Resolution No. 596 of 1978, entitled "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program", so as to reflect the following: Decrease line item LB-77-11 "Inspection Related to Home Repair Loan Program Salaries," from \$190,000.00 to \$158,500.00 (\$31,500); and transfer \$4,250.32 from the 1977 Community Development Block Grant Trust Fund - City Planning Administration (CDPA), so as to increase the 1977 Community Development Block Grant Trust Fund - City Planning Salaries (CDCPS) from \$58,933.00 to a sum of \$94,683.32; and further, to delete PW-77-5 "Damas, Homer, to Rhine North of Buenete", and replace with PW-77-5, "Herron Avenue Bridge Replacement"; and further, to revise line item PR-77-12 "Rehabilitation of Recreation Centers" by adding Olympia and Northview Heights Recreation Centers.

Also

No. 3361 Resolution amending Resolution No. 352, effective April 20, 1979, entitled, "Resolution providing for an agreement with Crossgates Inn, Oakland for the use of a conference room and provisions of food and beverages for a Citizen Participation Conference on April 7, 1979," by decreasing the sum provided to \$911.25.

Also

No. 3362 Resolution amending Resolution No. 527, approved May 22, 1978 entitled "A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof" as amended by Resolution No. 372, approved April 25, 1979 entitled "A Resolution providing for the Mayor and the Director of the City Development to enter into an Agreement or Agreements with the Urban Redevelopment

Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof by increasing the amount of the Agreement" by the transfer of CD Funds to the Industrial Land Reserve Fund and providing for the transfer of land from the City of Pittsburgh to the Authority and the assumption by the City of Obligations of Railroad Companies relating to Utility Lines, Water Lines, Lift Stations, etc., and Bridges and appurtenances leading into Herr's Island.

Also

No. 3363 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire property owned by the Buncher Company, in the 24th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 48-K, Lot Nos. 10, 40, 50 and 250.

Also

No. 3364 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David Streater for the sale of Parcel 120 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3365 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Michael Coleman and Lynne Coleman for the sale of Parcel 46C in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 3366 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Roy P. Adams and Catherine Adams for the sale of Parcel 64E in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

No. 3367 Resolution approving a form of contract for Disposition of Land by and bet-

ween the Urban Redevelopment Authority of Pittsburgh Gary D. Peeks and Lois E. Peeks for the sale of Parcels 114A and 114A-1 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3368 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Phillip J. Ventura for the sale of Block 7B Lot 123 in the Twenty-First Ward of the City of Pittsburgh.

Also

No. 3369 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Herbick & Held Printing Company for the sale of the reversionary interest in vacated Walker Street in the Twenty-First Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing & Development.

Mr. Lally presented

No. 3370 Resolution providing for the purchase for public purposes of certain property in the 26th Ward from Tina Borowsky (Block 47E, Lot 238), Edward H. Metz and Marie A. Metz (Block 47E, Lot 239) and from Irene L. Nock and Elmer R. Nock (Block 47E, Lot 240); and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Lally moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also

No. 3371 Resolution repealing Resolution No. 588, approved 7/27/76, for the sale of property in the 20th Ward on Oregon Street Block 43-R, Lot 182, to Louis E. & Carol A. Dixon for the sum of \$750.00 for the reason they did not comply with the agreement of sale. Hand money in the amount of \$100.00 is to be forfeited.

Also

No. 3372 Resolution amending Item (1) on page 8 of Resolution No. 447, approved 5/21/79 for property located in the 27th Ward on Brighton Road, to Pike Real Estate Inc. by adding acquired from William F. Minter included with Francis Walsh to City of Pittsburgh. All else shall remain the same and in effect.

Also

No. 3373 Resolution providing for the filing of a petition for the sale of certain property in the 15th Ward on 4337-39 Chatworth Street, Block 55-J Lot 106 acquired at tax sale, in accordance with Act No. 514 of 1947, as amended to Peggy Anne Cole for the sum of \$2,500.00.

Also

No. 3774 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. P.L. 787, of May 21, 1937, as amended by Act No. 250, approved July 29, 1941.

Also

No. 3375 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

The Chair:

I have an announcement from Michelle Madoff:

"Please excuse my absence from this afternoon's meeting. I can not attend because I will be performing a public service to the United Mental Health Organization at their annual meeting as part of a panel discussion with David Susskind. When I made the commitment the meeting was to be scheduled at another time, but was changed unexpectedly."

So you know why Michelle Madoff is not here.

Mrs. Masloff for Michelle Madoff presented

No. 3376 Resolution providing for the issuance of a warrant in favor of Keystone GMC Truck Company, 1414 Monitor Street, Pittsburgh, PA 15221, in the amount of \$785.13 in payment for repairs to two generators furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3377 Resolution providing for an Agreement or Agreements with Allegheny County Sanitary Authority for treatment and disposal or residue from the City's Water Treatment Plant.

Which was read and referred to the Committee on Water.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3378 Resolution providing for a contract or contracts for the rehabilitation of the Chemical System Rotary Feeder; and providing for the payment thereof.

Also

No. 3379 Resolution acceptance the Indenture from Grantors Aaron N. Finegold and Beverly A. Finegold, his wife, owners of Lot No. 85-H-52 and from Joseph Kalla, owner of Lot No. 85-H-50, of record in the Recorder's Office in Allegheny County and situate in the 14th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3380 Resolution authorizing the issuance of a warrant in favor of Broadway Maintenance Corporation in the amount of \$63,139.87 in payment for electrical work performed at various locations, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3381 Resolution repealing Resolution No. 1201, effective October 18, 1978, entitled: "Providing for a contract or contracts or the use of existing contracts for installing new electric services to Banksville and Schenley swimming pools and providing for the payment of the cost thereof."

No. 3382 Resolution repealing Resolution No. 1202, effective October 18, 1978, entitled: "Providing for a contract or contracts or the use of existing Community Development contracts for furnishing and installing electrical equipment and lighting for park and recreational purposes and providing for the payment of the cost thereof."

Which was read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 3383 Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of

Public Welfare and Department of Labor and Industry, to provide technical assistance and administrative support in connection with the planning and implementation of the Employment Opportunities Pilot Program (EOPP), and providing for payment of the costs thereof.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

I might add, before the rest of the papers are read, that I have a note here that on Wednesday, May 9, 1979 in Detroit, Michigan, City Councilman Robert Rade Stone of the City of Pittsburgh was elected to the Board of Directors of the National Association of the Regional Councils of Government. Councilman Stone is to represent Region #3, composed of Pennsylvania, Maryland, District of Columbia, Virginia and West Virginia. He is the first Pennsylvanian to have served.

Congratulations Mr. Stone. Are you the first Serbian to serve?

Mr. Stone:

The first Serbian.

The Chair:

Seriously, congratulations.

Also

No. 3384 Resolution providing for the issuance of a warrant to Donna Lewandowski in the amount of \$1,000.00 in full settlement of claims for personal injury, and providing for the payment thereof.

Also

No. 3385 Resolution amending Resolution No. 431 approved May 7, 1979, effective May 21, 1979 entitled "Resolution authorizing and directing the City Controller to transfer form time to time amounts not to exceed the aggregate sum of \$12,650.00 from CETA Trust Fund, federal funds, to Community Economic Development Program Trust Fund, CEDP-TF to pay a portion of costs of a study designed to determine the demand and supply of skilled construction craftsmen in the Pittsburgh Area."

Also

No. 3386 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission requesting permission for Keith Cameron and Regina Hanna, to attend U.S. Department of Labor training session to review 1979 Performance Assessment and 1978 CETA plans, Philadelphia, Pa., June 18-19, 1979, at cost not to exceed \$450.00, payable from CETA Trust Fund.

Also

No. 3387 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission requesting permission for Philip Schugar and Paul Leger, to attend Department of Labor training session on monitoring techniques, Philadelphia, Pa., June 25-28, 1979, at cost not to exceed \$500.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3388 Report of the Committee on Finance for June 6, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3262

A Resolution entitled, "Resolution providing for the solicitation of proposals for computer hardware equipment, operating system software and application program conversion assistance."

Which was read.

Also,

Bill No. 3273

A Resolution entitled, "Resolution transferring \$84,983.92 from the Bureau of Police Communications Project Trust Fund and \$145,000.00 from the City-County Identification and Information System Project Trust Fund to the Emergency Street Phone Network Project Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

Mr. Givens:

Mr. President, I have some reservations on Bill No. 3273. If you can recall, there was nothing in our specific budget that gave any allocations to funds for the Emergency Street Phone Network. If I can recall, this is a grant that the present Administration received from the Department, or one of the Departments within the State of Pennsylvania.

We are getting ourselves into a situation here that once these emergency street phones are installed, we the City of Pittsburgh then must maintain them. So we are saying here in essence in this particular bill that we are willing to go along with this emergency system.

If you can remember we had kind of a public hearing or discussion and there was a post agenda item where we went into this and the cost gets up quite considerably, up to around \$400,000 some dollars.

At the same time, to help out our communications people on the ninth floor, it still doesn't alleviate them because these phones can only be put in the neighborhoods, they cannot be put in an area, for example, where there is a multiple alarm fire box. They do serve a good purpose, but I would like to make Council aware of the fact that we are going to get into a pretty heavy budget item here as soon as that grant money runs out and we have to operate not only this system, but the still old and antiquated fire alarm system that we have. I just don't know how, down the road, they are going to be able to tie these together.

A good example of that is in the downtown area or any of the heavy Oakland, South Side, populated areas where they have multiple alarms. They can't put a phone out there because those multiple alarms go into each floor and to each building and it's the key to get fire protection there as quickly as possible and I don't know how they are going to replace this then, by approving this we are getting ourselves into a situation that once we start, or have a host agreement with Bell Telephone, we must then honor that agreement.

The Chair:

Your analysis is probably correct Mr. Givens with one exception in regards to the funds. I presume these are federal funds which we approved of receiving for this Emergency Telephone and Police Communications Project Trust Fund and I think it is being done in sections, correct me if I am wrong Mr. Stone, they are allocating so much at a time, this is money that has already been put aside and already been awarded. In regards to maintaining of it in the future, then that is something else. You are probably correct it is going to be a rather difficult matter to deal with.

I don't see how you can stop the transfer of these funds, they have already been allocated.

Mr. Stone:

Mr. President, if I may, I think he has indicated rather accurately that it was told to us in advance that there was going to be

something like a \$400,000 expenditure and it could be even a little bit more. So, in effect, when we were told that and we were approving the original project, we were doing that with the understanding that we had to come up with some commitments because it was not a complete program without that commitment.

I saw that telephone, I saw that communications system and I did not get that limitation program you are talking about. They were going to start in sections, but the thing was going to go all over the City and in certain areas it would be doubled up, but the impression I got was that in now way would our present system even come close to the multitude of use of the individual instrument which would serve all of them.

In addition to that, where there were some problems, I did not conceive, at least in the information I had gotten from the Administration, or from other information that we would stay with the same system, but I got this to be obviously an expenditure, but I think that we were going to face an expenditure anyhow, even if we attempted to rehabilitate what we did. We were fortunate from the original time when it started, it was going to be a one purpose kind of thing, now it ends out we can service all of our different emergency services off of one call box which was not the flexibility we had in the past.

I don't know that we can hold this back now, frankly, when we made that commitment, we should have rejected the original if we were so disposed.

In fairness though, I don't think that there is any merit to not approving the overall program, which we did, in fact, approve, because I think that it does offer what is essential and necessary and also, it is in fact, approve. Because I think that it does offer what is essential and necessary and also, it is in fact, better than anything we have available at the present time.

Mr. Givens:

Well, for example, it takes care of the neighborhood areas, the cost is going to be

somewhat similar to the maintenance of our present system but yet they are still not getting into the heavily populated areas of Oakland, Downtown, the North Side and some areas in the South Side and like East Liberty in Pittsburgh, so there is cost involved.

I've never seen this contract, I don't know how long that contract will last with the Bell Telephone System. In checking this out with other cities, the rates were increased. I noticed a newspaper article that indicated, and that is the way I received it, by way of a newspaper article, that indicated that the rates were going to decline after so many years. Start out at \$300,000 some and would go on downward within about a ten year period. I don't think I've ever seen that piece of legislation come before this Council. I saw the grant come before Council requesting this money, but it puts us in the position that when we pass this, we are also committing ourselves to the full system, or at least as full as they can put it in our neighborhoods.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3291

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the

amount of \$17,663.21 in favor of Allied Chemical Company in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3294

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$929.15 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3295

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$600.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3296

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$517.25 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3297

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$865.20 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3298

A Resolution entitled, "Resolution providing

for the issuance of a warrant to John Forrester in the amount of \$825.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3299

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$535.00 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3300

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$681.95 in settlement of claim for damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3389 Report of the Committee on Planning, Housing and Development for

June 6, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3279

A Resolution entitled, "Resolution amending Resolution 1120 of 1978 entitled, 'Providing for the filing of an Application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the North Side Urban Development Grant Project' by including a section authorizing the Director of the Department of Housing to be designated and authorized to approve the expenditure of funds in this Project."

Which was read.

Also,

Bill No. 3280

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional auditing services in connection with the close-out of the Model Cities Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3281

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional auditing services in connection with the 1977 and 1978 Community Development Block Grant Program and providing for the payment and cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3390 Report of the Committee on Supplies for June 6, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3292

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of three (3) pre-cut wood shelters for the Department of Parks and Recreation and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3391 Report of the Committee on Parks and Recreation for June, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3286

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3287

A Resolution entitled, "Resolution providing for a contract or contracts for the renovation of Olympia Recreation Center and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3289

A Resolution entitled, "Resolution providing for a cooperation agreement or agreements with the Housing Authority of the City of Pittsburgh for the design and renovation of the Northview Heights Recreation Center and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Bulls presented

No. 3392 Report of the Committee on Public Safety for June 6, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3274

A Resolution entitled, "Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous services in connection with the Emergency Street Phone Network Project, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3275

A Resolution entitled "Resolution providing for an Agreement with the Salvation Army for professional services in connection with The Public Inebriate Program; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3393 Report of the Committee on Lands and Buildings for June 6, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3284

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I have one observation to make, it is approximately two weeks since the very important meeting in regard to the PPG Complex was held and I know what a serious meeting that was and how much it means to all the Councilpersons and the City of Pittsburgh and I go on record along with other people thinking or saying that we would like to see this project go through but not at the expense of some of the business people in that area or the senior citizens and apparently there were some problems. I don't think there were as many as we thought until we had the meeting and we decided at that time to appoint a committee, Mr. Bob Stone, Councilman Stone is the Chairman of the committee and the purpose naturally was to try to work some sort of compromise with the merchants of that area and the senior citizens and the PPG people and also the Planning Department and the URA of the City of Pittsburgh.

Mr. Stone has met on a couple of occasions that I know of, in fact the very next day there was a meeting called and I understand it was quite a lengthy one. I know Mr. Stone has worked rather hard, and all of his committee members have, and I think he might have some sort of report even though it has only been a couple of weeks, to give back to Council or to render to us and perhaps we can make some sort of judgment on that premature report or maybe we are going to have to wait a little while longer, Mr. Stone

Mr. Stone:

Mr. President, if I may, if you will recall, we had a meeting on Wednesday, May 31, 1979. At that time the committee was formed by the President and I was selected as its Chairman. On June 1st, the very next day, we called a meeting of all the committee members. At that time there was a general discussion of the goals and the roles of the

committee and its representatives. We got some input for a questionnaire, it became very very clear, crystal clear that we did not have all of the information before us and therefore we had to take stock and it was necessary to have a questionnaire in order to find out the different classifications and what the actual desires of those people affected, in fact, were. As a result, at that meeting we got some information which might be essential for a questionnaire.

The committee was made up of two City Councilmen, myself as Chairman, and Mr. Givens of Planning, three Market Square representatives, originally it was two, they requested and we granted the opportunity for one additional representative, Steve George, representing URA, Mr. Robert Scott, Department of City Planning, one individual from PPG and before too long we realized that there was one individual who was not there but who was essential and that was a relocation representative and the Executive Director of our Housing Authority was then invited to the committee and has since accepted and that is the composition of the committee.

Early, as we looked into it, we had traditionally, because there were so many lines drawn before the committee was formed, we had an opportunity to feel one another out. Secondly, we got very very cogently clear the fact that there was a great deal of sensitivity that needed to be exercised, also that it seemed as though all parties welcomed some source other than those parties who had heretofore been dealing with them.

Then came another problem which we had not anticipated, but was thought of at that time and that was that we did not want to affect any legal rights of any of the parties. Thereafter, we did prepare a draft of the suggested preliminary questionnaire, we sent it to all of the committee representatives for a review. Shortly after that, calls from all of the attorneys came in, concerned about the respective rights of the various agencies, the various governmental bodies and as well, the representatives on Market Square who had taken legal action. They wanted to know the effect of the committee actions on their lawsuit. After explanations

that we had given them, they seemed much more relieved and they seemed at this point at least to be cooperative, but we had to slow down a bit until we got that issue straightened out.

Thereafter, on June 7th, we had a meeting of the committee and at that time we approved the questionnaire and approved the tentative schedule of what we wanted to do. On June 8, 1979 we finally prepared in final form the questionnaire and I was in order to expedite it as best possible, we delivered to the affected parties, the questionnaire, at least those who were in the Market Square area. What was done by our Council staff, again, everyone seemed to want some other source, other than those who had heretofore dealt with it, so we dealt solely with personnel of City Council and through the efforts of our City Clerk and the staff, we had roughly five people, maybe six, who went out and served, hand carried most of the questionnaires on Friday and we continued on Saturday and the balance should have gone out today. The deadline for the return of those hopefully, is noon tomorrow, June 12, 1979. Thereafter, on June 14th, Thursday of this week, Friday and possibly Saturday, if all goes well, we'd like to call them in for a one on one kind of interview.

At this present time, there is still as we recognized early, a need of a great deal of sensitivity. There is a need to watch relative to the legal concerns, we are however moving along. So far the committees have a good rapport with one another and I think the credibility so far has been good. We still at this point remain somewhat optimistic and we hope that we can do something and this Thursday, Friday and Saturday should be able to tell us a little bit more than where we are, but we have all the machinery in motion at this time, which can find some solutions to our problems.

The Chair:

I think we all owe you a vote of thanks for expediting the matter, as I said earlier, perhaps the PPG Complex was the most important part of Renaissance II and it is probably the centerpiece and without PPG and without the complex in that Market Square area, Renaissance II may not get off

the ground. It is so important and your work so far on the committee is to be commended and let's just hope that a favorable compromise is worked out and the way your report read, and the way things are going, I believe perhaps having confidence in your ability, Mr. Stone, that w will be able to work that out.

Mr. Lally moved to excuse Michelle Madoff for absence from this meeting.

Mr. Bulls seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, June 4, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, June 18, 1979

No. 26

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, June 18, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3394 Resolution providing for the issuance of a warrant in favor of A & S Security, Inc., 550 Grant Street, Pittsburgh, Pennsylvania 15219, in the amount of \$235.95 in payment for Luncheon/Meeting at the William Penn Hotel furnished for the benefit of the City in connection with the Officer

Friendly Program; and providing for the payment thereof.

Also

No. 3395 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Mr. Coyne presented

No. 3396 Resolution amending Resolution No. 578, approved July 27, 1976, effective July 30, 1976 entitled "Resolution providing for a Contract or Contracts for the rehabilitation of the Lincoln Avenue Bridge (PW-76-10) and related waterline improvements (W-76-2); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing the monies transferred from General Obligation Bond of 1976, Bond Fund No. 234, Department of Water.

Also

No. 3397 Resolution amending Resolution No. 575, approved July 27, 1976 entitled, "Resolution providing for a Contract or Contracts for the improvements to the intersection of Forward Avenue, Murray Avenue and Pocussett Street (PW-76-9) and related waterline improvements (W-76-2); providing for the payment of costs thereof; and provid-

ing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing the monies transferred from General Obligation Bond of 1976, Bond Fund No. 234, Department of Water.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3398 Resolution providing for a contract or contracts for the construction of Thompson Run Storm Sewer (Cooley Way) Phase I; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3399 An Ordinance amending Ordinance No. 15, approved July 8, 1977, which amends the Zoning Ordinance No. 192, approved May 10, 1958, as amended, by changing the time by which the recording of a Planning Commission approved Subdivision Plan must be filed in the Recorder of Deeds Office.

Also

No. 3400 Communication from Robert Lurcott, Director of City Planning, requesting permission to attend conferences with HUD and Commerce officials concerning the use of CDBG and UDAG funds, Washington, D.C., June 21-22, 1979, at cost not to exceed \$200.00, payable from Code Account 1978 CDPA.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3401 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Stone presented

No. 3402 Resolution providing for the issuance of a warrant to Allen M. Jackson in the amount of \$643.47 in full settlement of claim for property damages, and providing for the payment thereof.

Also

No. 3403 Resolution providing for the issuance of a warrant to Donna J. Freeman in the amount of \$1,250.00 in full settlement of claim for personal injury and property damage, and providing for the payment thereof.

Also

No. 3404 Resolution providing for the issuance of a warrant to Jennie Visokovicz, Executrix of the Estate of Boles W. Wisakovich, c/o Frederick B. Elliott, Esquire, in the amount of \$7,500.00 in full settlement of lawsuit at No. G.D. 77-24660, Court of Common Pleas of Allegheny County; and providing for the payment thereof.

Also

No. 3405 Resolution transferring the sum of \$50,000.00 from Code Account 45, Health Insurance - Municipal Employees, to Code Account 46, Judgments.

Also

No. 3406 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Keith Cameron, Donald Burnham and Dick Bell, to attend conference, Philadelphia, Pa. June 27, 1979, to discuss planning and implementation of the Private Industry Council Program, at cost not to

exceed \$450.00, payable from CETA Trust Fund.

Also

No. 3407 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Philip B. Schugar, Elbert Kennedy and Frank DeAngelis, to attend project operators meeting, Glen Cove, New York, June 21-23, 1979, at cost not to exceed \$1,350.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3408 Report of the Committee on Finance for June 13, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3235

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Urban Revitalization-Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 3341

A Resolution entitled, "Resolution providing for the issuance of a Warrant to Alfred Mercurri in the amount of \$810.93 in full settlement of claim for damages to his 1977 Ford Granada automobile, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3342

A Resolution entitled, "Resolution authorizing issuance of a warrant in the sum of \$701.55 in settlement of claim for damage."

Which was read.

Also,

Bill No. 3343

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(pres't)

Ayes 9 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3383

A Resolution entitled, "Resolution providing for an agreement or agreements with the Commonwealth of Pennsylvania, Department of Public Welfare and Department of Labor and Industry, to provide technical assistance and administrative support in connection with the planning and implementation of the Employment Opportunities Pilot Program (EOPP), and providing for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3409 Report of the Committee on Public Works for June 13, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3352

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Commonwealth of Pennsylvania, the County of Allegheny and the Authority for Improvements in Municipalities of Allegheny County regarding payment of the non-federal share in connection with the reconstruction of the Thornburg Bridge, and creating a special trust account in connection therewith."

Which was read.

Also,

'Bill No. 3353

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County for construction by the County of a Footbridge near Oakwood Road, in the 28th Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3410 Report of the Committee on Planning, Housing and Development for June 13, 1979.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3320

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jesse Crews for the sale of Parcel C-23 in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 3321

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jesse J. Murry for the sale of Parcel 6 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 3322

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pearl L. Johnson and Kathryn Johnson for the sale of Parcel 64B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3323

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Arthur T. Craft, Jr. for the sale of Parcel 121 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3324

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Samie L. Terry for the sale of Parcel 28 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3325

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph L. Wicks for the sale of Parcel 54B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3326

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and New Zion Baptist Church for the sale of Parcel 178 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3411 Report of the Committee on Supplies for June 13, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3336

A Resolution entitled, "Resolution amending Resolution No. 1529, approved December 31, 1978, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of Combination Tapping and Drilling Machine for the Department of Water, and for the payment thereof', by increasing the amount from \$7,500.00 to \$10,000.00."

Which was read.

Also,

Bill No. 3337

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 10 suction units, 10 folding bags, and 1 manikin, for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 3338

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Eight (8) portable cardiac patient monitoring and defibrillation equipment for the Department of

of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3339

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 27 Two-Way Radios for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3340

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Pressure-Demand Air Masks, Cases, etc., for the Department of Fire, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayyes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

I want to make a comment. I saw Ken Fields today, and explained that I spent an hour with Mr. Miller, Director Miller, and I broke the code on the method in which they have written up this particular transfer fund, and he informed me that I am correct and in the future they're going to change the process so that on all our bills in Capital Funds where there's line items in the balance, they'll just say, "Balance in account, transfer to," it will be much simpler to understand.

Michelle Madoff presented

No. 3412 Resport of the Committee on Water for June 13, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3333

A Resolution entitled, "Resolution amending Resolution No. 1038 approved December 31, 1976 as amended by Resolution No. 82 approved February 15, 1977, amended by Resolution No. 387 approved May 5, 1977 amended by Resolution No. 531 approved June 10, 1977, amended by Resolution No. 801 approved August 17, 1977, amended by Resolution No. 1018 and 1019 approved October 24, 1977, amended by Resolution No. 1334 approved December 30, 1977, amended by Resolution No. 726 approved June 30, 1978, amended by Resolution No. 1422 approved December 19, 1978, entitled: 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds' by decreasing appropriations for five line items and increasing appropriations for line item WD-77-5 'Water line work related to Public Works, A. B. Safety/Capacity and PennDOT Street Rehabilitation Project.'"

Which was read.

Also,

Bill No. 3334

A Resolution entitled, "Resolution amending

Resolution No. 1350, approved December 30, 1977, amended by Resolution No. 1084, approved October 2, 1978, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by decreasing appropriations for Capital Budget Projects WD-78-4 'Water Meters' and WD-78-9 'Building, Structures; Emergency Repairs' and increasing appropriations for WD-78-3 'Water line work related to D.P.W. Work'."

Which was read.

Also,

Bill No. 3377

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Sanitary Authority for treatment and disposal of residue from the City's Water Treatment Plant."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 3413 Report of the Committee on Parks and Recreation for June 13, 1979 transmitting two resolutions to Council.

Which was read, recived and filed.

Also, with an affirmative recommendation,

Bill No. 3288

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Architect of the new Magee Recreation Center for professional services in connection with the design and installation of a work of art at the Center; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

On Bill 3288 I vote no, and I'd like my comments of the Wednesday meeting included. And I'd like to add that I'm not opposed to art. However we were supposed to have rewritten an Ordinance, or to amend the Ordinance so that 1/4% could come before Council, 1/4% as matching funds as a sign of good faith would be put forward to local industries and foundations and hope that they would come up with 3/4 of that contribution, the total being that the monies being as tight as it is the priorities are a little out of wack. I'm for art and symphonies, but I'm also for people having ballparks and meals on wheels and we just don't have the money. And I'd be happy to serve on a committee to search out these funds.

Comments of Michelle Madoff, remarks of Wednesday, June 13, 1979 Committee Meeting.

I'd be happy to have a public hearing and I'd like to have some of the industries invited and see if they could come up with some of the funds. I'm not saying that we should do without art, I agree with you completely on the esthetic, the need and the desire to keep the city beautiful and having art. I'm only addressing myself as to where this money should come from, and you know as well as I do that we have some marvelous art schools here in the city who do some fantastic work

that we don't have to go to an \$8,000.00 piece of art, we could get it from one of these schools, school of design, buy something for \$1,000.00 or \$500.00 or have some outlet for the students who are in the graduating classes. There's more than one way to do something and I think when Mr. DePasquale has a problem trying to get money for children for lunches, that should take preference, and that's the kind of thing industry won't come up with in the funding from their foundation money, but they will fund a piece of art. And that's why we ought to trade off, we're not saying don't do it, we're just saying be innovative. Since I've been here I've been asking the question do we have a committee appointed yet that goes after foundation money, week after week, day after day. Do we have that committee?

Let's do a little bit more. We're the third largest home base office, they can afford to do it and they love it with their plaque up.

The Chair:

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mmr. DePasquale
(Pres't)

Ayes 8

Noes 1

(Michelle Madoff
voting no)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3335

A Resolution entitled, "Resolution providing for a contract or contracts for the removal of dead and diseased trees in public rights-of-way and parks and providing for payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes: 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3414 Report of the Committee on Lands and Buildings for June 13, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3328

Resolution repealing Resolution No. 763, approved 7/5/78 for the sale of property on O'Hern Street designated as Block 23-E-46 to Henry W. & Mary J. Ewalt for the sum of \$700.00. Repealing due to City not having clear title. Hand money in the amount of \$100.00 to be returned by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 3329

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion of the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative the bills passed finally.

Also,

Bill No. 3330

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property acquired at a tax sale in accordance with Act. No. 514 of 1947 as amended, to Frank H. McKean and Harvey E. Robins for the sum of \$17,400.00." \$17,400.00."

Which was read.

Mr. Lally:

I move that this bill be recommitted back to Committee on Lands and Buildings.

Michelle Madoff:

I second the motion.

Which motion prevailed.

Michelle Madoff:

The reason I asked Mr. Lally to re-committ this bill, so I could go out and check on this property to see if it is flat or sloped land.

Also,

Bill No. 3370

A Resolution entitled, "Resolution providing for the purchase for public purposes of certain property in the 26th Ward from Tina Borowsky (Block 47E, Lot 238), Edward H. Metz and Marie (Block 47E, Lot 239) and From Irene L. Nock and Elmer R. Nock (Block 47E, Lot 240); and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion of the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff:

I have a motion. I am asking for approval of an appointment for the Pittsburgh Cable Communication Committee. Mr. Charles Schiffer is ill and I am asking for consideration of Mr. Joseph P. Davis to fill the unexpired two-year term.

Michelle Madoff:

I seconded the motion.

The Chair:

Is there any discussion oon the appointment?

Mr. Givens:

If I might give some background on him. I think we have in front of us the backgrounds of Mr. Davis. Joe has been very active in many community activities as is noted on his resume. He is a very outstanding individual within the community of Bloomfield-Garfield areas and he is to summarize the representation of the senior citizens on the cable committee. Mr. Schiffer, who was in there before, was the president for past year and represented some 1,000 senior citizens. He then became ill and had to withdraw, so Joe Davis has outstanding credentials within the community and throughout the City of Pittsburgh.

The Chair:

Any more discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. Depasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Mr. Stone:

I am reading from Page 2 of the Pittsburgh Press Newspaper, June 18, 1979,

where an article appears, "Impromptu City Slum Tour Disgusts Milwaukee Mayor". Let me say that I for one who attended many, many functions that weekend, was extremely pleased with the welcome and stay that the mayors throughout the United States received from the City of Pittsburgh. But, I believe this particular article does bring to mind something that is very, very important and that has been talked about for over three years with nothing done as a result. What had happened as the article states "after getting the red-carpet treatment during a reception and dinner June 9 at the Scaife Gallery of the Carnegie Museum, Maier and his wife asked to be taken off the schedule arranged by their host.

They asked their driver, an off-duty plainclothes detective, to take them to 'the worst section of Pittsburgh,' a neighborhood not too far from the convention center the Hilton Hotel, Downtown, which Maier said, it was the "worst" slum he has ever seen in this country.

The Journal story, written by Charles Sykes, a reporter who covered the conference, also described how Maier and his wife, while stopped in traffic in the unnamed neighborhood, received propositions by two young female prostitutes. "They really gave us the come-on", Maier way saying.

The Chair:

His wife was with him? Did they proposition her too?

Mr. Stone:

Particularly after having been entertained with much pomp in such an ornate place as the Scaife Gallery.

I had an opportunity to visit Milwaukee and if I were looking to get even or if I chose to get even with his town I would. In fairness though, I had the chance to meet this mayor and discussed city needs with him and I found him to be a very sincere, interesting person who is interested in the well-being, not only of his city but in cities in general. I don't think that his comments were intended to be an attack nor was it intended to show ungratefulness toward the city but I think the important thing is without looking and

without having a guide here—what happened is that he was coming from Oakland along Fifth Avenue and he saw something we didn't want him to see. I have been saying for three years that I didn't want the city residents to be subjected to this and I have indicated this time and time again about the Fifth Avenue situation.

I am at a loss as to whether our Mayor doesn't see it or whether our Superintendent doesn't see it but nevertheless, this particular article is speaking about Fifth Avenue. I have said time and time again that if you go past that place at 10 o'clock at night, you will find at least 40 to 100 prostitutes there. I don't think that should be a part of any city's program, particularly going from a cultural center to the hub of Renaissance II. I am frustrated but I bring it to light and to the Mayor's attention the fact that our residents are still subjected to this kind of abuse.

I'd like to issue a challenge to the Mayor of City of Pittsburgh and to the Superintendent of Our Police Department that I will give a "Kentucky Tour" of Fifth Avenue any night they want so they see the problem is there. And, with the use of our uniformed police officer I will show him how to stop them. That is an open challenge to both. Regretfully, if they can't find it, then we will show it to them and show them how to solve the problem.

The Chair:

Uptown?

Mr. Stone:

From Fifth Avenue High School down to Stevenson Street. We talked about it here three weeks ago when we discussed police enforcement in the Hill District and in spite of the notice, we leave it open for the mayors to come and see it and obviously it shows the callous of the Superintendent of Police that he doesn't give a damn and that this Council ought to.

The Chair:

Your comments are well noted and for some time all of us have been saying to the Superintendent "do something." I don't

know how some of the residents stand it by having them yell at the car. I wish someone would yell at me in the car!

Mr. Stone:

I don't know whether it's a problem under police protection or of Parks and Recreation. If this is part of Parks and Recreation, I don't think we need it on Fifth Avenue. This is not a situation where the girls are yelling out and saying, "you want to have some fun." These girls are using the words that are unprintable. If you are going down the street they are yelling out in vulgar language!

The Chair:

It's the same old story. Most of the people who go into the area are being subjected to that and it is not fair. It is terrible there and with the school children going by and family-oriented people there and they shouldn't have to put up with that.

Mr. Lally:

I just want to say that I wasn't the only one on that tour looking for anything! I was there with Mr. DePasquale and the Mayor as well. We were ridden in a Cadillac driven by one of the people from Wheelabrator-Frye and this happened at 2 o'clock in the morning+combat zone.

Michelle Madoff:

Mr. President, I don't take exception to what Mr. Stone said. I think he is correct but I think the greater problem in the area is poverty.

I would also like to make a comment if I may. Since I have been on this Council I must admit that I have been turned around on my view of police enforcement. I felt that with the declining population we had the number of police that we have now was sufficient. However as you know, I had requested from Superintendent Coll, information on the number of work hours of the police force and as I looked—obviously, we need more police.

I would like to tell you that I had a letter, and I don't recall who it was from other than from someone in the F.O.P. They contacted

me and sent me more details that were pertinent to the police situation and to controlling some of the problems. I am just as guilty as anyone else. The burglary alarms in private homes are a nuisance. In my system we have a ten-second shut off but it seems that the police are spending time answering false alarms, burglary alarms, and I think we ought to have a public hearing and have the police explain their problems with it and also have people in the burglary alarm business suggest what can be done.

Mr. Robinson:

Mr. President, in reference to Mr. Stone's comments concerning the article in the paper, I'd like to say a couple of things and hopefully add a little more perspective on the situation.

First of all, I think it is unfortunate that the Mayor from Milwaukee would identify a certain section of our city as one of the worst slum areas he has seen. With all due respect to him, if indeed the area he is referring to is the upper Fifth Avenue area, I would say Mayor Maier has not been to very many cities and perhaps his use of words was to lend some weight to his concern about what apparently had happened to him and his wife. But beyond that I think Mr. Stone would agree with me that the problem as it relates to ladies of the evening is directly related in an attempt to move them from other communities and the Fifth Avenue area. The upper area is one of the areas in which they now congregate because anywhere from 40 to 100 is an awful lot of women to be working in a five or six block area. Perhaps to deal with the social problem that it will be done in light of the fact that it is a city-wide problem with it being heavier in a few communities. The reason they are congregating in one particular area is that there is nowhere else to go and if we move them from one place to another we are just moving the problem and not solving it. I have not seen any indication where this type of business is on the downfall! I just wanted to add those comments.

Mr. Stone:

I'd like to close with one comment. The issue that I have brought up—we shouldn't lose in the area of priorities. Well, that is not a priority so we ought to do this. This is a

restricted issue where it can be solved by one uniformed police officer. Right there is a couple of hospitals where we have our arena and we have what everybody tends to overlook—a neighborhood and there are people living there. How much do they have to tolerate? It is about time we get around to this kind of thing. It has been too much for too long and I think the solution is here and we ought to solve it. It is a very restricted issue and I'd like to see it resolved.

Mr. Robinson:

Mr. President, the only reason I take issue with some of Mr. Stone's comments and certainly I agree with him that we need to deal with the problem. However, it is obvious to me that there are other parts to this problem. I would hate to see us clean that section of town and some other community be affected. All I am saying is that we do it in such a fashion that we don't push them to the South Side or North Side.

Mr. Stone:

I agree with that. I had spent seven years in the DA's office and I don't recall it ever being as worse on the streets in this city. Somewhere it has to be cleaned up and not by talking about a moving carnival; I'm talking about eliminating it.

Michelle Madoff:

I'd like to make a statement and ask that we have a resolution introduced.

I think everybody on Council is aware of the break-in of one of the offices over the weekend and tapes were removed that were not transcribed.

The Chair:

Yes.

Michell Madoff:

I heard also that it happened across the hall in Ken Fields office and ashes were found on Ruth Law's desk. It is a very strange kind of robbery and the only thing of any real value were 12 kt. gold-filled inscribed pens. My concern was to take a look at what the post-agenda was for those day's

meetings. The reason I bring it up was due to the fact that there were typewriters in view and that was not taken. Obviously someone has access to the building on the weekends. I would like to have a resolution that the tapes be locked up in the vault on the weekends because if we are subjected to this kind of problem, I would like to have my own key to my door and not have one key for every door.

I also have a serious problem with the mail. It seems that over and over again—maybe I'm picked on, but Mike Perry can attest to this—he had put something in my file box and I never received it. We went back and checked and it is nowhere to be found. It was a Market Square Book and a letter and I never even received the letter! I don't believe anyone deliberately is playing with the mails and I think there is some "hanky panky" going on. I called the Post Office and they suggested we get the mail boxes and another solution would be to put mail slots in the door.

I would like to have the support of Council on this issue.

Mr. Stone:

Mike mentioned it to me and he talked to me last week and he suggested locking up the tapes.

Mr. Perry:

No problem.

Mr. Stone:

Is the mail problem in the County or . . .

Mr. Perry:

I don't know.

Mr. Stone:

I know coming from the central mailing room where there is a problem.

Mr. Perry:

I know I put Michelle's mail in her mail slot myself.

Michelle Madoff:

It is very interesting. Someone had gotten into my office and left dirty cartoons on my desk. I wouldn't mind but they weren't funny!

The Chair:

Whoever did that has to work here. I was here that Saturday and I had Nick let me in because I didn't have my key so he had to open the door for me.

Michelle Madoff:

It is the strangest robbery I ever heard of.

Mr. Givens:

Did you turn it in to the police department?

Mr. Perry:

Yes. We will work something out.

Mr. Lally moved that the Minutes of Council of Monday, June 18, 1979 be approved.

Which motion prevailed

And on a motion of Mr. Lally,

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, June 25, 1979

No. 27

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday June 25, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT:

Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I have a couple of announcements before the presentation of papers. Mr. Stone is attending an important South Western Pen-

sylvania Regional Planning Commission meeting; also the dedication of the Schenley Swimming Pool scheduled at 3:30 this afternoon has been cancelled and will be rescheduled at a later date.

Mr. Coyne:

Mr. President is there any reason why the pool isn't opening?

The Chair:

I believe they're having problems with the filtration system.

PRESENTATIONS

Mr. Bulls presented

No. 3415 Resolution providing for an agreement with the Housing Authority of the City of Pittsburgh for the purchase and installation of closed circuit surveillance equipment at its facilities, in various locations, in the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne presented

No. 3416 Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 599, effective June 7, 1978, as amended by Resolution No. 977, effective August 31, 1978, as amended by Resolution 1254, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 501, effective June 7, 1979, entitled: "Resolution adopting the 1978 Capital Budget, allocating and setting aside funds in connection

therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds," by transferring Three Hundred Thousand (\$300,000.00) Dollars from PW 78-21, Thompson Run Sewer to PW 78-07, City-Wide Resurfacing, Department of Public Works.

Also

No. 3417 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$85,400.00 for extra work in connection with repaving-widening Fifth Avenue from S. Highland to Penn Avenue, Controller's Contract No. 23253-F.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3418 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Trumbull Corporation in the amount of Nine Thousand Seven Hundred Twenty Five Dollars and Eighteen Cents (\$9,725.18) in payment for the purchase of materials that were to be used in replacing the surface of the Troy Hill Road Bridge that was deleted from the Contract for the Rehabilitation of Troy Hill Road, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also

No. 3419 Resolution transferring the sum of \$300.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also

No. 3420 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the J.F.K. Youth League for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof.

Which was read and referred to the Committee on Parks and Recreation.

Also

No. 3421 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$2,600.00, for extra work in connection with Tenant Work for Hill Branch of Carnegie Library of Pittsburgh-Phoenix Hills Shopping Center, Controller's Contract No. 23502-F.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3422 Resolution providing for an agreement or agreements with the Southwestern Pennsylvania Regional Planning Commission for payment to the City in connection with work performed to carry-out the 1978-79 Unified Planning Work Program.

Also

No. 3423 Resolution providing for a contract or contracts with Johnson-Marx Industries, Inc. for a feasibility study of minority business manufacturing opportunities and minority industrial mini-parks development at a cost not to exceed \$4,000.00.

Also

No. 3424 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Mrs. Nancy Kirk, to attend National Development Council Training Session, Washington, D.C., July 9-13, 1979, at cost not to exceed \$480.00 payable from Economic Development Planning Program Trust Fund, Department of City Development.

Also

No. 3425 Communication from Robert Lurcott, Director, Department of City Planning, requesting reimbursement to Raymond L. Reaves, Deputy Director, Department of City Planning of \$118.50 for expenses in connection with attendance at meeting in Washington, D.C. May 24, 1979 to discuss UDAG application with HUD officials, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3426 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$17,921.30 in payment for improvements at various branches, without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3427 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$1,778.00 to Casciato Bros. for extra work at No. 2 Police Station.

Also

No. 3428 Resolution amending Item (I) in Res. No. 492, approved 5/24/79 for the sale of property in the 15th Ward on Montclair St., Block 88-E-40, to Elmer McWilliams & Matilda McWilliams his wife, for \$750.00 deleting acquired from Harry E. Black to read acquired from Harry E. Black 1/2 int. and Etta Beemer 1/2 int. All else in Item (I) Res. 492 shall remain the same and in effect.

Also

No. 3429 Resolution repealing Resolution No. 1178, approved 10/10/78 for the sale of two vacant lots in the rear of

Breckenridge St., Block 10-M, Lots 281 and 301, 5th Ward, to Gloria Spearman for the sum of \$800.00. Being cancelled and hand money in the amount of \$100.00 to be returned by the Department of Lands and Buildings due property being gutted by a fire.

Also

No. 3430 Resolution repealing Resolution No. 1135, approved 10/6/78 for the sale of property in the 18th Ward on Lafferty & Montooth Sts. Block 15-L, Lot 71, to Roy Walker for \$12,000.00. Being cancelled due to a fire. Hand money of \$1,200.00 to be returned by the Department of Lands and Buildings.

Also

No. 3431 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3432 Communication from John C. Miller, Director, Department of Water, requesting interim approval of payment of amount not to exceed \$60,000.00 to Dick Enterprize, Inc. for emergency relocation of water line to Spring Hill Tanks, payable from 1979 Community Development Block Grant Program Trust Fund, Unspecified Local Option.

Which was read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 3433 An Ordinance amending the

Pittsburgh Code, Title One — Administrative Chapter 175, Art Commission, Sections 175.08(a) and 175.08(f), ORNAMENTATION FOR MUNICIPAL PROJECTS; PLAN REVIEW AND APPROVAL, by reducing the allocation for works of art from one percent (1%) to one-quarter percent (1/4%).

Also

No. 3434 Resolution requesting the Mayor of the City of Pittsburgh to appoint a three member Committee to seek funds for the purchase of Works of Art.

Which were read and referred to the Committee on Parks and Recreation.

Mrs. Masloff presented

No. 3435 An Ordinance amending and supplementing The Pittsburgh Code, Title Four - Public Places and Property, Article II - Communications, Chapter 425, Cable Communications, by making various changes and additions thereto.

Which was read referred to the Committee on Public Works.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also

No. 3436 Resolution authorizing the issuance and payment of a Semi-Final Estimate to Joseph B. Fay Company, in conjunction with the Construction of Steam Line between Phipps Conservatory & Bellefield Boiler Plant, Controller's Contract Number 23150-F, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent.

Also

No. 3437 Resolution providing for the transfer of \$60,899 from Code Account 41,

Refunds Real Estate Tax to Summer Recreation and Transportation Trust Fund (SRTTF) in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also

No. 3438 Resolution providing for the execution of an Agreement or Agreements with Community Action Pittsburgh Inc., in connection with Community services Administration funding for the Summer Youth Recreation and Transportation Programs; and providing for required assurances and the furnishing of data and information relating to the Programs and Agreement.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3439 Resolution amending Resolution No. 483, approved May 29, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of one air cooled process cooling system for a mini-computer for the Department of Police, and for the payment thereof," by increasing the cost to \$9,777.00.

Which was read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 3440 Resolution amending Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, entitled (Resolution—adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds," by changing the amounts allocated for certain 1979 Capital Projects.

Also

No. 3441 An Ordinance supplementing the Pittsburgh Code by adding a new Section 241.06 providing for penalty and interest charges in the collection of amusement taxes.

Also

No. 3442 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Michele Cunko, to attend Women in Management Training Seminar, Pittsburgh, Pa., June 25, 1979, at no cost to the City.

Also

No. 3443 Communication from David L. Donahoe, city Treasurer, submitting report of deposits and market value of collateral Security pledged by City Depositories to secure same as of May 31, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 3444 Report of the Committee on Finance for June 20, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3376

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Keystone GMC Truck Company, 1414 Monitor Street, Pittsburgh, PA 15221, in the amount of \$785.13 in payment for repairs to two generators furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3380

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Broadway Maintenance Corp, in the amount of \$63,139.87 in payment for electrical work performed at various locations,

furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3384

A Resolution entitled, "Resolution providing for the issuance of a warrant to Donna Lewandowski in the amount of \$1,000.00 in full settlement of claims for personal injury, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Michelle Madoff:

Mr. President, on Bill 3376 I do not plan to change my vote, but I would like to ask a question, somebody may answer for me. Mr. Miller is not in town and I couldn't reach him this morning, I was reading the bills the other day. In the actual bill it says, "In previous years an annual contract was available for Onan Generator Repair, no annual contract is available for 1979 and I'm just wondering whether that was a cut in the

budget and whether we should prepare for next time and I want to know why and I didn't check because I didn't have my bill. I'll keep my vote on it but I'll check it through, I thought maybe someone could answer that.

The Chair:

I guess we will have to wait until Mr. Miller returns.

Also,

Bill No. 3385

A Resolution entitled, "Resolution amending Resolution No. 431 approved May 7, 1979, effective May 21, 1979 entitled "Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$12,650.00 from CETA Trust Fund, federal funds, to Community Economic Development Program Trust Fund, CEDP-TF to pay a portion of costs of a study designed to determine the demand and supply of skilled construction craftsmen in the Pittsburgh Area."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were"

Ayes:

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 6

**Noes 2 (MR. BULLS
AND MR. COYNE
VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3445 Report of the Committee on Public Works for June 20, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3314

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road Slide correction (PW 79-03) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3396

A Resolution entitled, "Resolution amending Resolution No. 578, approved July 27, 1976, effective July 30, 1976 entitled "Resolution providing for a Contract or Contracts for the rehabilitation of the Lincoln Avenue Bridge (PW76-10) and related waterline improvements (W76-2); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the monies transferred from General Obligation Bond of 1976, Bond Fund No. 234, Department of Water."

Which was read.

Also,

Bill No. 3397

A Resolution entitled, "Resolution amending Resolution No. 575, approved July 27, 1976, effective July 30, 1976 entitled "Resolution providing for a Contract or Contracts for the rehabilitation of the Lincoln Avenue Bridge (PW76-10) and related waterline improvements (W76-2); providing for the

payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the monies transferred from General Obligation Bond of 1976, Bond Fund No. 234, Department of Water."

Which was read.

The Chair:

Is there any discussion of the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 **Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3446 Report of the Committee on Planning, Housing and Development for June 20, 1979.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3357

A Resolution entitled, "Resolution approving a Conditional Use under Section 993-01 (a) A (8) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, for erection of an 8-story and basement rear extension to Western Psychiatric Institute and Clinic on property zoned "I-C" Institutional-

Civic District and located on the northeast corner of O'Hara Street and DeSota Street, 4th Ward."

Which was read.

The Chair:

Is there any discussion of the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 **Noes None**
(MICHELLE MADOFF
ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3359

A Resolution entitled, "Resolution amending Resolution No. 1267 of 1977, as amended by Resolution No. 483 of 1978, as amended by Resolution 829 of 1978, as amended by Resolution No. 999 of 1978, as amended by Resolution No. 1563 of 1978, as amended by Resolution No. 252 of 1979, as amended by Resolution No. 308 of 1979, entitled "Providing for the filing of an application by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program, so as to correct an error in the Department of Housing line item Total; and further, to correct line item CP-78-04, "Community Development Administration," to reflect the following: Planning Department Salaries - \$191,829.33, Treasury Department Salaries -

\$23,170.67, Administrative Costs
\$55,000.00."

Which was read.

Also,

Bill No. 3360

A Resolution entitled, "Resolution amending Resolution No. 1046 of 1976, as amended by Resolution No. 551 of 1977, as amended by Resolution No. 595 of 1978, as amended by Resolution No. 596 of 1978, entitled "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program," so as to reflect the following: Decrease line item LB-77-11 "Inspection Related to Home Repair loan Program Salaries," from \$190,000 to \$158,500 (\$31,500); and transfer \$4,250.32 from the 1977 Community Development Block Grant Trust Fund - City Planning Administration (CDPA), so as to increase the 1977 Community Development Block Grant Trust Fund - City Planning Salaries (CDCPS) from \$58,933 to a sum of \$94,683.32; and further, to delete PW-77-5 "Damas, Homer, to Rhine North of Buenete," and replace with PW-77-5, "Herron Avenue Bridge Preplacement"; and further, to revise line item PR-77-12 "Rehabilitation of Recreation Centers" by adding Olympia and Northview Heights Recreation Centers."

Which was read.

Also,

Bill No. 3361

A Resolution entitled, "Resolution amending Resolution No. 352, effective April 20, 1979, entitled, "A Resolution providing for an agreement with Crossgates Inn, Oakland for the use of a conference room and provision of food and beverages for the Citizen Participation Conference on April 7, 1979," by decreasing the sum provided to \$911.25."

Which was read.

Also,

Bill No. 3362

A Resolution entitled, "Resolution amending Resolution No. 527, approved May 22, 1978 entitled, "A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering the design studies of Herr's Island and providing for the payment of the cost thereof" as amended by Resolution No. 372, approved April 25, 1979 entitled, "A Resolution providing for the Mayor and the Director of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof by increasing the amount of the agreement" by the transfer of CD Funds to the Industrial Land Reserve Fund and providing for the transfer of Land from the City of Pittsburgh to the authority and the assumption by the City of Obligations of Railroad companies relating to utility lines, water lines, lift stations, etc., and bridges and appurtenances leading into Herr's Island."

Which was read.

Also,

Bill No. 3363

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire property owned by the Buncher Company, in the 24th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 48-K, Lot Nos. 10, 40, 50, and 250."

Which was read.

Also,

Bill No. 3364

A Resolution entitled, "Resolution approving a form of contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and David Streater

for the sale of Parcel 120 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3365

A Resolution entitled, "Resolution approving a form of contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Michael Coleman and Lynne Coleman for the sale of Parcel 46C in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 3366

A Resolution entitled, "Resolution approving a form of contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Roy P. Adams and Catherine Adams for the sale of Parcel 64E in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3367

A Resolution entitled, "Resolution approving a form of contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Gary D. Peeks and Lis E. Peeks for the sale of Parcels 114A and 114A-1 in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3368

A Resolution entitled, "Resolution approving a form of contract for disposition of land by

and between the Urban Redevelopment Authority of Pittsburgh and Phillip J. Ventura for the sale of Block 7B Lot 123 in the Twenty-first Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3369

A Resolution entitled, "Resolution approving a form of contract for disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Herbeck & Held Printing Company for the sale of the reversionary interest in vacated Walker Street in the Twenty-first Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. DePasquale

(Pres't)

Ayes 8

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 3447 Report of the Committee on Water for June 20, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3378

A Resolution entitled, "Resolution providing for a contract or contracts for the rehabilitation of the Chemical System Rotary Feeder; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3379

A Resolution entitled, "Resolution accepting the Indenture from Grantors Aaron N. Finegold and Beverly A. Finegold, his wife, owners of Lot No. 85-H-52 and from Joseph Kalla, owner of Lot No. 85-H-50, of record in the Recorder's Office in Allegheny County and situate in the 14th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion of the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative the bills passed finally.

Mrs. Masloff presented

No. 3448 Report of the Committee on Parks and Recreation for June 20, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3381

A Resolution entitled, "Resolution repealing Resolution No. 1201, effective October 18, 1978, entitled: "Providing for a contract or contracts or the use of existing contracts for installing new electric services to Banksville and Schenley swimming pools and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3382

A Resolution entitled, "Resolution repealing Resolution No. 1202, effective October 18, 1978, entitled: "Providing for a contract or contracts for the use of existing Community Development contracts for furnishing and installing electrical equipment and lighting for park and recreational purposes and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion of the bills?

And the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative the bills passed finally.

Mr. Lally presented

No. 3449 Report of the Committee of Lands and Buildings for June 20, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3371

A Resolution entitled, "Resolution repealing Resolution No. 588, approved July 27, 1976, which authorized the sale of property in the 20th Ward being a vacant lot on Oregon Street, Block 43-R, Lot 182, to Louis E. Dixon and Carol A. Dixon, his wife for the sum of \$750.00."

Also,

Bill No. 3372

A Resolution entitled, "Resolution amending Item (I) on page 8 of Resolution No. 447, approved May 21, 1979 for property located in the 27th wWard on Brighton Rd. nr. Winhurst to Pike Real Estate Company Inc., by adding acquired from William F. Minteer included with Francis Walsh to City of Pittsburgh."

Also,

Bill No. 3373

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of certain property in the 15th Ward, Block 55-J, Lot 106, acquired at a tax sale, in accordance with Act No. 514 of 1947 as amended."

Also,

Bill No. 3374

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act. No. P.L. 787, of May 21, 1937, as amended by Act No. 250, approved July 29, 1941."

Also,

Bill No. 3375

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended."

Also,

Bill No. 3330

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property acquired at a tax sale in accordance with Act No. 514 of 1947 as amended, to Frank H. McKean and Harvey E. Robins for the sum of \$17,400.00."

Which was read.

The Chair:

Is there any discussion of the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. DePasquale
(Pres't)

Ayes 8

Noes None

And a majority of the votes of Council being in the affirmative the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

'I don't have a resolution but I would like to distribute to Members of Council the draft

copy before the final document of the solid waste report that we have been working on for a long time. It is really a very fine document and for any Member of Council that wants to have a history on it can look through it. Within the next five weeks we will have three systems that will come before Council and the representatives of these companies will give the cost associated with them and perhaps then we can be prepared to recommend one.

Mr. Coyne:

Mr. President, I wonder who prepared the report.

Michelle Madoff:

I had it prepared by a research assistant and myself and I would like your comments and input on it. People's Gas felt that they would want to be involved but now they are not sure and that is why we turned it into a

draft copy. The system we favor most is pyrolysis.

Mr. Robinson moved

that Mr. Stone be excused for absence from this meeting.

Mrs. Masloff: I second the motion.

Which motion prevailed.

Mr. Lally moved

that the Minutes of Council of Monday, June 18, 1979, be approved.

Mr. Robinson: I second the motion.

Which motion prevailed.

And on a motion of Mr. Robinson,

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, July 2, 1979

No. 28

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRA Y Ass't City Clerk

Pittsburgh, Pa.
Monday, July 2, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT: Mr. Lally

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3450 Resolution amending Ordinance No. 645, effective 12-21-73 entitled: "Providing for a contract/s for TOPICS Program, which includes widening of Fifth Avenue from Sta. 5+28.35 (240 feet west of

Craft Ave.) to Sta. 32+75.00 (at the west curb line of Boquet St.) and widening and reconstruction of intersection at Penn & Negley Avenues and laying and relaying of waterlines and appurtenances and providing for payment.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 3451 Resolution authorizing issuance of warrant to Trumbull Corporation for \$65,750.00 in payment for "Extra Work" in connection with the reconstruction of Eleventh Street, furnished for the benefit of the City without previous authority of law, and providing for payment.

Which was read and referred to the Committee on Finance.

Also

No. 3452 Resolution vacating a portion of Surban Avenue at Sherwood Avenue in the Twentieth Ward of the City of Pittsburgh.

Also

No. 3453 Resolution vacating Hawthorne Street between Stanton Avenue and Aracde Way in the Tenth Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Michelle Madoff for Mr. Lally presented

No. 3454 Resolution authorizing issuance and payment of semi-final estimate to Carl J. Bonidie, Inc., in conjunction with the City-County Building Weatherization Project, repair to heating systems, Controller's #23529 and reducing the retained percentage from 10% to 1%.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 3455 Communication from Harold West, Director, Department of Lands and Buildings requesting interim approval of payment of \$185,000 for work performed in connection with Capital Project LB 79-05 Carnegie Library, Rehabilitation to improve processing, maintenance and public areas.

Also

No. 3456 Communication from Harold West, Director, Department of Lands and Buildings requesting interim approval of payment of aggregate sum of \$385,000 for work performed in connection with construction to improve physical accessibility for the elderly and physically handicapped at Carnegie Institute, payable as follows: 1978 Community Development Block Grant Trust Fund Public Buildings - Access by Handicapped LB 78-10, \$135,000; 1979 Community Development Block Grant Trust Fund Public Buildings - Access by Handicapped LB 79-12, \$250,000.

Also

No. 3457 Communication from Harold West, Director, Department of Lands and

Buildings, requesting interim approval of payment of \$1,241.40 to Westinghouse Electric Corporation, for necessary repairs to refrigeration system at North Side Public Safety Center, payable from Bond 195, Department of Lands and Buildings.

Also

No. 3458 Resolution for the acceptance of a deed from URA of Pittsburgh for a nominal consideration conveying certain property in the 28th Ward on Broadhead Forging Road being 145,568.03 sq. ft. Block 70-E, Lots 55 & 57 for public park purpose to be used for a swimming pool.

Also

No. 3459 Resolution repealing Resolution 469/74 for the sale of property in the 31st Ward on Benezet & Suzette Sts., Block 91-D, Lots 46 & 27 to William Dunklin and Rhae H. Dunklin, his wife for the sum of \$650.00 for the reason the City of Pittsburgh could not give clear title to parcel 91-D, Lot 46 taken erroneously from the wrong registered owner.

Also

No. 3460 Resolution amending Item (A) in Resolution 447/79, property in the 13th Ward rear of Remington Avenue, Block 232-D, Pt. Lot 94 to Richard Harris for the sum of \$1,500 by deleting plan Lot Nos. 3 and 4 and inserting in lieu plan Lots 4 and 5. All else in Item (A) shall remain the same and in effect.

Also

No. 3461 Resolution amending Item (B) on page 2 of Resolution 492/79, property on 5647 Second Avenue between Renova St., by deleting the name of Raymond A. Laine and Helen Ward and inserting in lieu thereof "Raymond A. Laine and Susan M. Laine", all else in Item (B) shall remain the same and in effect.

Also

No. 3462 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3463 Resolution amending Resolution No. 1589, approved 12-31-78, effective 1-1-79 entitled "Adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Fund to said Capital Funds" by changing the description of line item WD-79-09.

Also

No. 3464 Resolution providing for a contract or contracts for the relay of water lines on Fifth Avenue between Craft and Bellefield Avenues chargeable to and payable from the 1979 Capital Budget Account WD-79-09, \$750,000.

Which were read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 3465 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960 in payment for extra work in conjunction with the replacement of valves and pipes at the Howard Street Pumping Station, City Controller's Contract No. 23462 in the amount of \$24,500, chargeable to and payable from Bond Fund No. 230, Department of Water.

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 3466 Communication from Louise

Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$710.60 for extra work in connection with construction of Frick Park Nature Center, Controller's Contract #22794.

Also

No. 3467 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$14,200 for extra work in connection with Broadhead Fording Pool and Park, Controller's Contract #29757.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3468 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 160 sections of Fire Hose, chargeable to and payable from Code Account No. 1469, Fire Hose, Department of Fire, at a cost not to exceed \$12,000.00.

Also

No. 3469 Communication from Lawrence Yatch, Director, Department of Supplies requesting permission to attend Eastern Regional International Trade Seminar, New York, N.Y., June 29, 1979 at a cost not to exceed \$193.00 payable from Code Account 1128, Miscellaneous Services, Department of Supplies.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3470 Resolution providing issuance of a warrant in the amount of \$4,144.24 in favor of Duquesne Light Company for damage to a utility pole and electric lines on Ruth Street, charging same to Code Account No. 46, Judgments.

Also

No. 3471 Resolution providing for issuance of a warrant in the amount of \$17,846.45 in favor of Allstate Insurance Com-

pany & Fred & Hannah Herzog for property damage at 231 Marsonia Street by a Bureau of Refuse truck, payable from Code Account No. 46, Judgments.

Also

No. 3472 Resolution providing for the issuance of a warrant in the amount of \$849.87 in favor of State Farm Insurance Co., & Patricia Haycock for damage to a 1978 Olds struck by a Department of Fire vehicle on Hancock Street, charging same to Code Account No. 46, Judgments.

Also

No. 3473 Resolution providing for the issuance of a warrant in favor of Radio Station WAMO in the amount of \$2,400 for spot announcements to implement Affirmative Action Recruiting Campaign for Police Officer candidates, furnished for the benefit of the City.

Also

No. 3474 Resolution transferring \$5,000 from Code Account No. 1064, Supplies and Materials, Department of City Treasurer, \$14,00 from Code Account No. 1068, Miscellaneous Services, Parking Income and Services, Department of City Treasurer to Code Account No. 1066, Equipment, Department of City Treasurer.

Also

No. 3475 Resolution providing for extra services under Contract 23835F with Coopers and Lybrand in connection with the development of a new Capital Project Control System, cost not to exceed \$12,000 payable from Community Development Unspecified Local Option-1979.

Also

No. 3476 Communication from Melanie Smith requesting permission for Catherine Melton, Department of Personnel and Civil Service Commission to attend Employment Development Plans Workshop for CETA counselors, Phila., PA, July 24-26, 1979, cost not to exceed \$190., payable from CETA T-2, federal funds.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3477 Resolution amending Resolution No. 208, passed in Council March 29, 1976 entitled, "Resolution approving the appointments of Attorneys John R. McKinley, Jr., Gilbert S. Solomon, Vincent J. Grogan, Donald John Led, Cyril A. Fox and Bryd R. Brown to serve as Legal Advisors to the Council of the City of Pittsburgh, by adding the name of Arthur J. Kellum and changing the Code Account Number from 1001-1 to 1001-2.

Which was read and referred to the Committee on Finance.

also

No. 3478 Petition from Saint Clair Athletic Association requesting a hearing to discuss the proposed multi-purpose center which is to be located alongside Brashear Association on Salisbury Street. Also, to discuss the utilization of the Saint Clair Athletic Association Hall as a proposed Senior Citizen Center.

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3479 Report of the Committee on Finance June 27, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3394

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A & S Security, Inc., 550 Grant Street, Pittsburgh, Pennsylvania 15219, in the amount of \$235.95 in payment for Luncheon/Meeting at the William Penn Hotel furnished for the benefit of the City in connection with the Officer

Friendly Program; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3395

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P. O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3402

A Resolution entitled, "Resolution providing for the issuance of a warrant to Allen M. Jackson in the amount of \$643.47 in full settlement of claim for property damages, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3403

A Resolution entitled, "Resolution providing for the issuance of a warrant to Donna J. Freeman in the amount of \$1,250.00 in full settlement of claim for personal injury and property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3404

A Resolution entitled, "Resolution providing for the issuance of a warrant to Jennie Visokovicz, Executrix of the Estate of Boles W. Wisakovich, c/o Frederick B. Elliott, Esquire, in the amount of \$7,500.00 in full settlement of lawsuit at No. G.D. 77-24660, Court of Common Pleas of Allegheny County; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3405

A Resolution entitled, "Resolution transferring the sum of \$50,000.00 from Code Account 45, Health Insurance - Municipal Employees, to Code Account 46, Judgments."

Which was read.

Michelle Madoff:

At Wednesday's meeting I was ruled out of order, I presume its because the Chairman wanted to adhere to the agenda, and now we are voting final bill on 3404, 3405, I'm a little bit out of sequence here, and 3403. I would like to point out, using 3403 just as an example, that while this accident did take place in 1975, and the claim, again, was a refuse truck, was only \$1,250.00. We do have repairs to our own trucks as well.

On the next bill, 3404 . . . I receive a copy of all the bills from the Clerk's office. The bill that I have, 3404, and the bill that arrives at my home on the weekend, and we have had many discussions in this Council and I have been reprimanded as not doing my

homework, trying to get ahold of this information. The bill that I received, now that I am requesting it from Council, is entirely different than the bill that actually is received at my home. So that if I were to go strictly by the bill that we are voting on today, that \$7,500.00, I would not know, for example, that the vehicle involved was indeed another refuse truck, and indeed it was somebody who was killed, although one would assume that, paying it to the estate, except the person could have died subsequently, and I think that is of some importance to this body. It is true that we do get these claims at the point that something has been negotiated in the Law Department, but as everybody in Council knows, we get so many letters on claims and adjustments and unless you actually put them in a file and go back, which I am now doing, you don't have them and you just get swallowed in the volume. But, that particular one was settled for \$7,500.00.

Then we get to the next bill which is 3405, where a request is being made to transfer another \$50,000.00 to the Code Account because we don't have money to pay these claims.

I might also point out that on 3404 the accident did not take place several years ago, but it was, I believe, 1977. Its not really all that far back.

My concern in bringing this to Council is that we have now received two more notices today, that were on my desk, this is an accident which took place in January, 1979, a refuse truck. The driver was instructed to equip his truck with tire chains, he did not and we have a \$17,800.00, almost \$18,000.00 claim, the truck hit and took off the entire kitchen out of a residence.

We had one again in 1978 of March of this year, the brakes on the truck wouldn't function. As you know, we've heard, one day we heard from Mr. Yatch, and hardly anybody on Council stayed to listen to his report, but he talked about perhaps going out on bonding to buy his equipment to have more modern equipment to have trucks in better shape and perhaps cut down on our accidents, or perhaps emulating Philadelphia where they replace them every year or every two years so we don't have to worry and keep the main-

tenance cost up at the garages.

Obviously something has to be done, this is far more serious than Council was even led to believe because we don't know unless you get to see the bill and they are done in such a scattering that we don't really get a complete picture of what is happening.

I just think that this cannot be allowed to go on in light of the fact, and Mr. Chairman, you chaired a meeting the other day I believe on the people from Homewood-Brushton and Squirrel Hill on the litter problem and it was pointed out to us by Mr. Walker that the men are now working some 16 hours a day, which I think will contribute to even greater incidence of accidents.

I have had calls from people who claim they haven't had their garbage picked up in six and seven and ten weeks. The Pa Pitt people have been cut from 150 people to 50 people, obviously they are going to get behind on the regular garbage pickup. We've got a sort of weird kind of problem, its sort of a cyclic thing, it just keeps going on end and I think Council has to say to Mr. Yatch, or to somebody in the Administrative end, "what are you going to do to rectify this problem?", and the feeling I get is nothing is going to happen until the next years budget. We are going to give as little service as we have to, and we are going to continue having these accidents and I don't think the City can afford them.

I have requested from the Law Department a breakdown of the acceleration. Now, you know Mr. Mulvihill has stated that one of the reasons we have a great deal more claims is that the courts are dealing more rapidly with the claims before them, but I don't think that is really the answer. We get claims where they knock a house out, where we have a Port Authority bus for \$35,000.00, where we kill people. Something has got to happen, we've got to either correct our garbage situation . . .

I've also subsequently learned that when we were told here in Council that only, no more than 25 vehicles were laid up for repair, that was not more true, that at any given time they are more like 50 and that is just about a third of our vehicles. That means the

others are being pressed perhaps harder than they should be which is again leading to more accidents and I think it is something we can't just brush aside and we really have to deal with very specifically. Mr. Yatch did come with a report, as I said most of Council didn't stay to listen to it. I think we have to have some kind of a request from Mr. Yatch saying how are you going to treat it. One of the things as you know is he is going to start testing the drivers yearly, if they are qualified to drive. When is he starting that program, when is he starting that driver's training program, or qualifying? When is he going to come up with revamping the way of operating the garage so that the trucks are out? And is he going to start replacing the vehicles right now? Maybe we need some emergency funds to do that because it might be penny-wise and pound foolish to wait until next year because the cost in claims will pay for the fleet next year, or a great portion of that fleet.

I just wanted to make sure that everybody in Council knew about it and we start to deal with it. My request then would be to have Mr. Yatch come back to us in the immediate future and tell us specifically what he is going to do and I'll be happy to meet with you and give you the questions afterwards.

The Chair:

I certainly respect your right to bring this to the fore and make it so we say, more public. I don't mean to be facetious, but how do we really prevent accidents, I mean we are going to have them from time to time as long as we have vehicles and there is just nothing we really can do about it. Training program, some other things may cut it down some, but ...

Michelle Madoff:

May I respond, if you have a child, a teenager, who is out driving a car and he buys an old rickety car and the car is old and it keeps breaking down, he is in far more danger of getting hurt than in a relatively new car. Or if he has a car that goes to a

garage and passes inspection and is corrected properly, there is a lot less danger of that happening and that is what I am addressing myself to. How can we give our drivers what they are entitled to, cars that are less prone to have accidents because they are maintained properly, or they are purchased when they are past their prime?

Mr. Givens:

Mr. President, I share in Michelle's feeling, and it was almost three some years ago that I had written that initial report in Council in regards to the problems that we had in the City garage down there. The number of accidents that we have had also, and with the bad winters and everything, I've known that they have increased.

I was concerned about this because the total output that we have been giving as far as claims. I addressed my question to Mead Mulvihill in the Law Department as to the possibility of maybe insuring the City of Pittsburgh, that is our drivers and trucks in the regular insurance policy, and his statement to me back then, this was only some five or six months ago, that the City is self-insured and it would be cheaper for us to go at the self-insured, than it would be to go out on a bidding type contract for our own insurance, that we do have peaks and valleys in this apparently. So, with that in mind I just wonder, with the continuation of the heavy cost involved here, where do we reach this point where the city possibly should go out and try to get our vehicles and personnel insured. Rather than being self-insured, at least the vehicles anyway, and see what that cost would run us each year, versus that of what we are paying now, of the operating budget each year, and secondly, there is still no, to my knowledge, standardized programs within the City of Pittsburgh, when a driver is involved within an accident, each department has their own inter-departmental procedures of how they go about working with the individuals that are involved in an accident, or checking those individuals out in a particular vehicle, there is no standardization yet. The only people, to my knowledge that have been given any training whatsoever, in the City, in a fleet of some 12 or 13 hundred vehicles, is some of the supervisors

Michelle Madoff:

Mr. President, one last point, two last points, I just looked quickly at the four that I raised, which were larger claims. One, sir, was in June, two were in March and only one was during the bad weather. As you know, Mr. Walker did tell us that they do have the greatest number of claims, during not only the cold weather, but during June when it is hot and they have the heat problem, as I said before maybe we ought to provide some lemonade or salt pills, but something has to happen, it is not just bad weather claims, as a matter of fact, the majority are not bad weather claims. And, my concern in bringing this before Council and there will be a subsequent hearing in July, how are we going to deal with next year's budget? What impact is this going to have on the budget next year. I think it is going to be tremendous.

Mr. Coyne:

Mr. President, as Chairman of the Committee on the Department of Environmental Services, I would like to respond to some of Michelle's concerns.

First of all, I'd like to say that as a result of the hearing that we had two weeks ago with the people from Homewood and Squirrel Hill, we are going to schedule a public hearing to air some of the complaints about the service or the lack of service in the Department of Environmental Services. I've asked the City Clerk to schedule that hearing and he is in the process of doing it.

The Chair:

I'm losing track, how does that get involved with accidents?

Mr. Coyne:

Well, I think when we have those people who are responsible in the Department of Environmental Services up here, we can talk to them about the problems with the accidents.

Mr. Robinson:

Mr. President, as Chairman of the Committee on Supplies, I would like to respond

also to some of Mrs. Madoff's concerns as well as statements made by Mr. Givens.

I think one of the difficulties has been for some time, as it relates to accidents, particularly in Environmental Services, has been, perhaps our lack of appreciation for the kind of equipment that they are dealing with. I think all of us probably would agree that some of the equipment we have in Environmental Services, particularly some of our refuse vehicles, are not the best. In fact, last year, I asked Director Wykoff why we were going to standardize on a certain vehicle when in fact we knew we were having maintenance problems with that and he could not come up with a satisfactory answer at that time. He has since switched to another vehicle.

Also, I think we have to look at the size of these vehicles. These are the biggest vehicles that we use in the City of Pittsburgh for any of our work functions. Particularly in terms width. Many of our streets and byways are very narrow and while certainly you don't want to make excuses for people who are irresponsible or who are not properly trained, I think many of the difficulties that we have stem from the fact that the vehicles are a little bit too big for the streets and some of the alley ways that they have to traverse, and therefore, a greater amount of skill I required than perhaps normally the drivers would have, but I would hope that whatever we do, we would not do it in such a fashion that we would try to lay the total blame on the drivers or the employees within the Bureau of Refuse. They are suffering under a number of handicaps, one, as I mentioned is the size of the vehicles, the inadequacy of some of the vehicles, the fact that they do not have mechanics as they once had to take care of their vehicles, but they do have to go long distances now to pick up those vehicles and also, I think, because the Environmental Services tends to be on the front line of City services, there are many other problems that they encounter and I think that sometimes we might just assume that it is human error when in fact, it may be some other problem.

I would hope in asking questions about this problem, we would try to determine if either Environmental Services or the Sup-

plies Department has been able to catalogue the kinds of accidents or the reasons or at least the reasons that are listed to give us a better fix as to where we are. I do think it is going to have an impact on our budget, and I think we need to very seriously look at that and I think Mr. Coyne's comment about the hearing coming up is very timely, an appropriate time for us perhaps to also have Director Yatch up to get his viewpoint in terms of what is happening down at the garage.

Michelle Madoff:

My concern, and I share the point you are making, is that certainly I don't want to lay the blame on the refuse workers, that was not the intent. The bottom line of what I am saying, and to be specific, is maybe we have to go out and buy the new vehicles, obviously we need them, as you know, we stated that the vehicles are very old, we had some problems with the maintenance of very old vehicles which are more prone to break down and not wait till next year because the cost of repairing them between now and the end of the year, and the cost of liability from now till the end of the year, could be used to buy the new trucks now. Maybe we have to borrow now and start what is planned for next year. That was really why I wanted to do it now, not wait until next five months.

Mr. Robinson:

Just one response to that, I think it is unfortunate that we are in this situation because when I first came to Council and became Chairman of the Committee on Supplies, there was some concern at that time about the purchase of refuse vehicles that were not up to specification. That is, we were receiving vehicles that did not have all the items on it that we had requested, but we were given assurances that those other items would be coming in the near future. During that period of time, we bought quite a few refuse vehicles, quite a few refuse vehicles I think from a company that was simply giving us bad goods. We now have vehicles that are relatively new, but in many respects are inadequate, but to literally go back and replenish our fleet would cost us a substantial amount of money, I'm not saying we shouldn't do it, I'm just saying it is unfortunate that we are at this point.

Michelle Madoff:

It might be cheaper than the claims.

The Chair:

I don't think we should delude ourselves in thinking that we could get outside insurance, there are two factors that would deter it and one is the cost would be so prohibited and I don't think there is any insurance company around, if what we are saying is true, is going to insure us, they'd have to be crazy. At least if I owned a company and some agent brought that contract in, I'd fire him. Not to slight what Mr. Givens has said, but there is no possibility of getting outside insurance.

Also,

Bill No. 3440

A Resolution amending Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, entitled, "Resolution—adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds," by changing the amounts allocated for certain 1979 Capital Projects."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3480 Report of the Committee on Public Works for June 27, 1979 transmitting two resolutions and one Ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3398

A Resolution entitled, "Resolution providing for a Contract or Contracts for the construction of Thompson Run Storm Sewer (Cooley Way) Phase I; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3416

A Resolution entitled, "Resolution furthering amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 599, effective June 7, 1978, as amended by Resolution 1254, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 501, effective June 7, 1979, entitled, 'Resolution adopting the 1978 Capital Budget, allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by transferring Three Hundred Thousand (\$300,000.00) Dollars from PW 78-21, Thompson Run Sewer to PW 78-07, Citywide Resurfacing, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3435

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Four - Public Places and property, Article II - Communications, Chapter 425, Cable Communications, by making various changes and additions thereto."

Which was read.

The Chair:

Is there any discussion on the bill?

Mrs. Masloff:

Mr. President, there are a couple of minor amendments that have to be considered now, these are only minor changes, they are as follows: In Section 22, (A) by adding: "throughout such area and".

Also, in Section 28 (d), by deleting: "any cable communication service including inter alia," and also, "and additional".

Also, in Section 30, as recommended by Mr. Robinson, do you want to read this Mr. Robinson?

Mr. Robinson:

Mr. President, I would like to offer an appropriate change in language relative to Section 30 of the legislation before us, relative to cable TV, first, however, I would like to indicate that I was not the drafter of the original language. I have attempted to maintain the original purpose of Section 30, which

as I understand it was to the potential for greater participation in Pittsburgh's Cable Television System by diverse group investors. Given the difficulty experienced by our City Solicitor's Office, the Cable Communications Advisory Committee and other interested parties in making provisions for adequate and accessible definitions in Section 30, I offer the following language and request your support and the support of Council for same. The amendment is as follows:

In Section 30, (c), (f) by adding: "is not a member of the Caucasian race and is of Oriental, Asian, African, American Indian Eskimo, Aleut, Puerto-rican or Mexican American Ancestry. Nothing in this chapter shall be construed by inference or definition to indicate that female and minority are synonymous or should be considered as same."

Mr. Stone seconded the motions.

Which motions prevailed.

The Chair:

Is there any further discussion on the amendments?

Mr. Givens:

Mr. President, in this particular amendment to the Cable Communications, the total ordinance itself and the amendments thereof, the fact that I received them, and I'm sure you have received mail over the weekend and today in regards to some of the specs that are in the proposed bidding proceedings for the Pittsburgh Cable Communications System, I think everyone has done a good job, and I think Sophie is to be commended. Between now and when this bid goes out for proposal sometime in mid-July, I feel that I have to reserve, and I hope others do, the prerogative to amend or change the total TV Ordinance, predicated and based upon input that we receive from the various technical people in the field. We are just getting down to rug-cutting time, so to speak, in regards to the reaction of the people within the industry and the people who have observed the total package which we only received to some degree, that is the bid for

proposal about a week and a half ago. We are given until Wednesday of this week, which is the Fourth of July, to respond to the Legal Department on anything that we would like to add or subtract from the proposal and in fact, from the actual ordinance itself. Being that Wednesday is a holiday, I would ask that it be extended to this coming Thursday, so that we would have the appropriate time wherein to really look into the actual ordinances and the bid for proposals.

I'm sure that as the Cable Communication Sub-Committee reviews the bid for proposal, that they will see certain things have come before us this last week and possibly they will come before us again, with some significant changes. I would like to hear from them, although we are passing on this amendment, that we can come back and amend if need be, the Cable Communication Ordinance.

At this time, Mr. President, I would like to recognize our former colleague, Amy Ballinger, who is in the audience today.

The Chair:

Amy, nice to have you with us.

Mr. Stone:

Mr. President, if I may, mentioning Amy Ballinger, former Councilwoman of this Council, points out in fact, that with Cable TV, maybe its one of those subjects we are all experts in, because unfortunately, no one is, it is something that has been new, it is something that we must have obviously, the City of Pittsburgh at least in this area, being probably the biggest chunk of Cable TV that this region has seen, because around us in smaller areas many have been able to handle it, but not when it gets to something large. I'm sure as you look at this ordinance, if we want to pick at it, we can find some things we may like or we may not like, that is typical however with most ordinances we pass and yet that is something that I think is obvious and inherent when you deal with something as large and encompassing as the kind of proposed ordinance we have. Plus, we are trying to plan in advance for every eventuality and obviously it needs more verbalism, and each time you use more words and each time you create a different in-

terpretation. Each time you go into more problems. But the fact, as we indicated, Amy Ballinger, now with Sophie Masloff here, we have gone through two City Council persons on this. I think that all of us owe a duty at this time, unless there are some major changes, we ought to get down to rug-cutting time and we ought to start giving the citizens of the City of Pittsburgh some access to Cable TV. I think we have waited too long and I think it is about time we get to it. We've studied the heck out of it and I think it is about time we start selling a little Cable TV at this time. That is a thought I just offer everyone, no criticism of anyone, but just a kind of gut reaction.

The Chair:

Along those lines Mr. Stone, I had the honor of proposing Amy Ballinger to be Chairperson of that Committee and when Amy resigned, we made the motion that Sophie Masloff should be the Chairperson and that goes back, as I recall, Amy, five or six years ago, there has been almost a complete change in City Council since and I have to agree with you that we are still kicking around amendments and changes here or there and like you, I'd like to see Cable TV in the City of Pittsburgh someday and maybe we are doing a little nit-picking and we are a little too technical.

Is there any further discussion on the amendments?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Givens presented

No. 3481 Report of the Committee on Planning, Housing, and Development for June 27, 1979 transmitting one Ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3399

An Ordinance entitled, "An Ordinance AMENDING Ordinance No. 15, approved July 8, 1977, which amends the Zoning Ordinance No. 192, approved May 10, 1958, as amended, by changing the time by which the recording of a Planning Commission approved Subdivision Plan must be filed in the Recorder of Deeds Office."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens for Mr. Lally presented

No. 3482 Report of the Committee on Lands and Buildings for June 27, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any question on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

No. 2483 WHEREAS, since their first experimental attempts during the Civil War, the men of America's Underseas Fleet have performed their own unique service to the Nation, and

WHEREAS, these gallant men paid heavily for their successes in World War II with a total of fifty-two submarines lost and three hundred and seventy-four officers and three thousand, one hundred and thirty-one enlisted men, and

WHEREAS, the United States Submarine Veterans of World War II will hold their Northeast Regional Convention at the Pittsburgh Hilton Hotel on July 6, 1979 thru July 8, 1979, and

WHEREAS, this convention will be dedicated to those submariners who gave their lives during World War II, and

WHEREAS, a Memorial Service will be conducted in Point State Park on July 7, 1979 at 2:00 P.M. to honor those who served in the "Silent Service".

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of its citizens does honor and recognize the Submarine Veterans of World War II and welcomes their Northeast Regional Convention to the City of Pittsburgh.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Robinson:

I would like to mention in moving for adoption of this resolution that I will be presenting a gold seal copy of this resolution at the memorial service on July 7th in Point State Park.

Michelle Madoff:

Mr. President, there are three little items that I would like to bring to the attention of Council, last week on final vote, I asked the question on a bill that nobody seemed to know the answer and I bothered to take the time to check it and I would like to share the information with Council.

It was with reference to having a contract, an annual contract, for our Onen generator repairs and I wanted to know why we didn't have these contracts, I thought perhaps we didn't have the money or what have you. It turns out we cannot get contracts for service on many of the facilities that are antiquated in the City because the companies have fluctuating rates where they charge ten dollars an hour or have been, they now want twelve, fifteen and twenty dollars and it changes so rapidly that it was not that

we didn't have the dollars, but that they wouldn't give us the contract. That was one item.

The second item, on September 13, 1978, Mr. Walker received a letter from Mike Perry at my request stating that they begin to an on going policy providing this office, I presume Mr. Perry's office, with a copy of the regular weekly pick up schedule along with a record of actual fulfillment of the schedule. In other words, are you getting around to all your routes and who are you missing so that we have some feeling of what is happening and the same information be provided in regards to the Pa Pitt Program. This policy is to take effect immediately. That was September, are we getting them Mr. Perry?

Mr. Perry:

I have not received any copies.

Michelle Madoff:

May I make a strong request that we ask for that again. It was the opinion of Council that we get it and this is how the motion was made. Does anybody care to comment on that, do we feel we still want it?

Mr. Coyne:

Would you please repeat what the information is?

Michelle Madoff:

I'll just read it, it is a very short letter:

"Dear Director Walker:

At the Council meeting of Wednesday, September 13, 1978, Councilwoman Madoff requested that you begin the ongoing policy of providing this office with a copy of your regular weekly pick up schedule, along with a record of the actual fulfillment of this schedule. Mrs. Madoff requested that the same information be provided in regards to the Pa Pitt Program. This policy is to take effect immediately."

We want to know when we get calls, are they picking up the routes? Are the same routes not being picked up, with reference to

whatever they are going to substitute for Pa Pitt. We never did get the information.

Mr. Coyne:

I don't have any knowledge of that kind of report coming through, I've never seen anything.

Michelle Madoff:

We never got it, but we requested it, Council suggests we ought to know what is happening, please let us know and everyone said yes, I'd like a copy too, and nothing ever happened to my knowledge.

I'll follow through with the last item. I found a letter on my desk today and I guess all Members of Council got it and it says, David Nilsson got one, Pittsburgh Press, I don't know why he'd cut anybody else off. Its from Robert Builders, Inc., with reference to, he feels that we have been slanderous, it is not my intention to address that issue, I think that Sophie would be the logical person to discuss the validity of the claims that were made, but I think that I would like to address and bring to Council's attention that I did some checking on the pools and it appears that in previous years whenever a pool was being, one, designed and two, built, every area of city government, every division that might have any involvement, reviewed the engineering plan and then the specs and initialed or signed their name to it so that if there were going to be any loopholes they were covered. On this particular contract, the Homewood-Brushton pool, it appears that very few signatures were on it and it was sort of entrusted to - most of the signatures were Louise Brown's and very few other people signed, I think Jack Ruff, and I think we ought to go back and compare whoever is handling that department, the contracts were signed on pools previously. Going back say five or six years and the ones that were agreed to, contractual arrangements made in the last few years, and you will see a tremendous difference in who reviewed them and perhaps we could have avoided the pitfalls that we encountered.

The Chair:

Not to cut you off, but Mr. Perry tells me

that tomorrow we are going to discuss these matters in full detail.

Michelle Madoff:

Fine, but I thought it might be a good idea to have somebody bring to that meeting tomorrow, one of the contracts that goes back when everybody reviewed it and the difference with this particular contract.

Mrs. Masloff:

Well, in this particular pool, we have been told that the original designer was quit, somebody else quit, its just botched up from the word go, the Homewood-Brushton pool, and that is why we went out to look at it. But we just can't lay the blame at anybody's door because they tell us one man who okayed it is no longer with the City, so that this particular pool is hard to check back on.

Michelle Madoff:

Thats not my point, my point is that perhaps more people who had knowledge of what should have been involved in the design and construction of the pool should have reviewed it as they had in the past. That is my point.

Mrs. Masloff moved to excuse Mr. Lally for absence from this meeting.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, June 25, 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, July 9, 1979

No. 29

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, July 9, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT: Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Before we begin, I would like to mention that Sophie Masloff is not in today and will probably not be for the balance of the week. Her aunt died in Akron, Ohio. She will be laid out in Ohio and buried in Pittsburgh.

PRESENTATIONS

Mr. Bulls presented

No. 3484 Resolution providing for issuance of a warrant in favor of Morse, Gan-

tervig and Hodge, in the amount of \$388.25, in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law, chargeable to Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

Mr. Coyne presented

No. 3485 Resolution transferring the amount of Fifty Thousand (\$50,000.00) Dollars from various Code Accounts to Code Account 1612, Street & Sewer Maintenance Divisions, Bureau of Operations, Department of Public Works.

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 3486 Resolution amending Resolution No. 1549 of 1978 previously amended by Resolution Nos. 251 and 517 of 1979, decreasing HD-79-10 from \$550,000 to \$400,000; decreasing HD-79-17 from \$300,00 to \$250,000; in creasing HD-79-06 from \$1,600,000 to \$1,800,000; transferring \$500 from HD-79-08 (Admin. - Salaries) to HD-79-08 (Admin. - Expenses and Services).

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3487 Resolution approving the sale of Parcel 1 (Second Avenue and Glen Cald Street) in the 15th Ward of the City of Pittsburgh by and between the URA and The Lawson Company for \$1.30 per square foot, Redevelopment Area No. 40.

Also

No. 3488 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Everett Metz for the sale of Parcel 48 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also

No. 3489 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gloria J. Nelson for the sale of Parcel 155 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3490 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert G. McFadden for the sale of Parcel 163 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3491 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Walter L. Maddox for the sale of Parcels 140 and 141 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3492 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John F. Salzer for the sale of Parcels 69 and 70 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3493 Communication from Paul C. Brophy, Director, Department of Housing, requesting reimbursement to Warren Scott for expenses in connection with attendance at workshop sponsored by Pennsylvania State University related to Cost Estimation Procedures for Rehabilitation Projects, Crossgates Inn, Pittsburgh, PA at cost not to exceed \$130.00 payable from 1978 Community Development Block Grant Trust Fund, Housing Department, Administration, CDHD (HD-78-13).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3494 Resolution repealing Resolution No. 1483, approved December 22, 1978, effective December 28, 1978, entitled, "Resolution transferring the sum of \$45,000.00 from Capital Project No. LB 78-09, Department of Lands and Buildings to Capital Project No. LB 78-07, Department of Lands and Buildings.

Also

No. 3495 Resolution amending Resolution No. 253, approved March 14, 1979, effective March 19, 1979, entitled, "Creating a special trust fund for Maintenance of City-owned lots; transferring to said trust fund \$15,000.00 from Rents, City Owned Property Trust Fund; and providing for the deposit of the funds in a bank account," by increasing authorized amount from \$15,000.00 to \$28,000.00.

Which were read and referred to the Committee on Finance.

Also

No. 3496 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of W.G. Dubin and Company for installation of new doors at Sixth Division at a total cost not to exceed \$1,449.00, payable from Capital Project LB 78-08, Renovations to Various Public Buildings, Department of Lands and Buildings.

Also

No. 3497 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment to Federal Pump Corporation for a motor and duplex sewage pump unit for Public Safety Building at a cost not to exceed \$3,000.. payable from Bond Fund 228, Department of Lands and Buildings.

Which were read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3498 Resolution transferring \$15,000.00 from Code Account No. 1702 Municipal Obligation for Non-City Water Agencies to Code Account No. 1701 Miscellaneous Services.

Which was read and referred to the Committee on Finance.

Also

No. 3499 Resolution amending Resolution No. 83, approved February 2, 1978, entitled, "Providing for a contract or contracts for the replacement of 4" water lines serving fire hydrants in various sections of the City and the replacement of deteriorated water main lines and other work incidental thereto, and providing for the payment of the cost thereof," by decreasing the appropriation therein.

Which was read and referred to the Committee on Water.

Also

No. 3500 Petition from the residents of Carrick requesting the City to install an overhead sign indicating right turn only in the north bound curb lane of Brownsville Road at Becks Run Road.

Which was read and referred to the Committee on Public Works.

Mr. Robinson for Mrs. Masloff presented

No. 3501 Resolution providing for an Agreement of Agreements with Young Men's Christian Association (YMCA) of Pittsburgh for Camping Services in connection with the City of Pittsburgh Senior Citi-

zen Program and providing for the payment of the cost thereof.

Also

No. 3502 Resolution taking, appropriating and condemning by the City of Pittsburgh for public park and other public purposes certain property of Leonard J. Desmet and Maccalleen C. Desmet, his wife, situated in the Twenty-eighth Ward of the City of Pittsburgh.

Also

No. 3503 Resolution taking, appropriating and condemning by the City of Pittsburgh for public park and other public purposes certain property of Catherine A. Reilly and spouse, if any, situated in the Twenty-Eighth Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 3504 Resolution providing for the issuance of a warrant to Northview Leasing Inc., in the amount of \$1,029.90 in full settlement of claim for automobile damage, and providing for the payment thereof.

Also

No. 3505 Communication from John Gabriel, Executive Director, Commission on Human Relations requesting permission for Clarence Parker and Donna DiLeonardo to attend Rapid Charge Processing Training sponsored by Equal Employment Opportunity Commission, Washington, DC, July 16-20, 1979 at no cost to City.

Also

No. 3506 Communication from John Gabriel, Executive Director, Commission on Human Relations requesting permission for Ann A. Simms to attend Backlog Processing and Case Management Training sponsored by Equal Employment Opportunity Commission, Washington, DC August 27-31, 1979 at no cost to the City.

Also

No. 3507 Communication from John

Gabriel, Executive Director, Commission on Human Relations, requesting permission for Charles Morrison to attend EEOC-FEP Agency Training sponsored by the Equal Employment Opportunity Commission, Washington, DC, August 27-31, 1979 at no cost to the City.

Also

No. 3508 Communication from Charles E. Portman, Executive Director of the Stadium Authority submitting the Annual Financial Statement of the Stadium Authority of the City of Pittsburgh for the fiscal year ending March 31, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3509 Report of the Committee on Finance for July 3, 1979 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3418

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Trumbull Corporation in the amount of Nine Thousand Seven Hundred Twenty Five Dollars and Eighteen Cents (\$9,725.18) in payment for the purchase of materials that were to be used in replacing the surface of the Troy Hill Road Bridge that was deleted from the Contract for the Rehabilitation of Troy Hill Road, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3419

A Resolution entitled, "Resolution transferring the sum of \$300.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3426

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$17,921.30, in payment for improvements at various branches, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3436

A Resolution entitled, "Resolution authorizing the issuance and payment of a semi-final estimate to Joseph B. Fay Company, in conjunction with the construction of steam line between Phipps Conservatory & Bellefield Boiler Plant, Controller's Contract Number 2350-F, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3437

A Resolution entitled, "Resolution providing

for the transfer of \$60,899 from Code Account 41, Refunds, real Estate Tax to summer Recreation and Transportation Trust Fund (SRTTF) in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3441

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code by adding a new Section 241.06 providing for penalty and interest charges in the collection of amusement taxes."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, on Bill No. 3441, I mentioned the other day at the Wednesday meeting that I had been to the movies and there were two dozen people at the Squirrel Hill Theater, which has lost two movies, the South Side movie trying to stay alive—Isab-

sequently went out to the Monroeville Mall to see a movie this weekend, I passed the Showcase East, we went to the Cinemette Theaters at the Mall and the lines were blocks long, you could barely get into the 10:00 movie, the 8:00 movie was jammed. While I realize that this is an error that was left out of the bill originally in the transposing and it just enables us to collect what is due, I really believe that I have to vote against the bill to point out the fact that we should not be charging amusement tax on City theaters because we really are pushing the business away.

Mr. Stone:

Mr. President, if I may, we went over this last Wednesday, I'm sorry it's coming back up again. I find it hard for me to believe what I am hearing—we have a bill on the record right now, and there should be as has been indicated, this is a technical omission, this putting back in, penalty and interest for those who owe the money should be there.

Michelle Madoff:

But I don't believe they should pay it because I don't believe they should have paid it in the first place.

Mr. Stone:

All right, but on those who are liable to pay—

Michelle Madoff:

I made that point.

Mr. Stone:

... there should be obviously the desire that the penalty and interest be paid, I would hope that everyone sees that point at least. Relative to the theater problem, at the expense of being redundant, and redoing this which was done last Wednesday, I can remind Councilwoman Madoff, last Wednesday we told her the proper time for that matter of any exclusions is at budget time and I have to repeat that now.

It's hard for me to understand why anyone would vote against a provisions that needs enforced.

Michelle Madoff:

But I think it should't have been enforced in the first place.

The Chair:

You've both made your point.

Is there any further discussion on the bill?

Mr. Lally:

I'd like to ask if you had a free pass for the shows last week.

Michelle Madoff:

I'd like to answer that, I had one given to me as everyone on Council did for the Showcase East and I cut it up. Even though they have no conflict of interest and they are in the suburbs.

Mr. Lally:

I just wanted to know if you used one of your perqs Michelle.

Michelle Madoff:

No, I want you to know I didn't—did you tear yours up?

Mr. Lally:

No—no.

Michelle Madoff:

I tore mine up.

The Chair:

My bag is race tracks, so I don't have to worry about that.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3454

A Resolution entitled, "Resolution authorizing the issuance and payment of a semi-final estimate to Carl J. Bonidie, Incorporated, in conjunction with the City-County Building Weatherization Project-/Repair to Heating Systems - Controller's Contract #23529, and reducing the retained percentage from Ten (10%) Percent to One (1%) Percent."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative the bill passed

finally.

Mr. Coyne presented

No. 3510 Report of the Committee on Public Works for July 3, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3450

A Resolution entitled, "Resolution amending Ordinance No. 645, effective December 21, 1973, entitled: 'Providing for a contract or contracts for TOPICS Program, which includes the widening of Fifth Avenue from Station 5 + 28.35 (240 feet west of Craft Avenue) to Station 32 + 75.00 (at the west curb line of Bouquet Street) the widening and reconstruction of the intersection at Penn and Negley Avenues, and the laying and relaying of waterlines and appurtenances; and providing for the payment of the cost thereof' by redevining the limits of work on Fifth Avenue and reducing the amount of funds allocated."

Which was read.

The Chair:

Is there any discussion on the bill?

I would just like to mention I will abstain from voting on this bill, this involves a relative and according to the Home Rule Charter, I must abstain.

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. Stone
	(Pres't)

Ayes 7 Noes none (ONE ABSTAINING - MR. DE PASQUALE)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3511 Report of the Committee on Planning, Housing and Development for July 3, 1979.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3358

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for Improvements in Housing Authority of the City of Pittsburgh Communities in Support of Modernization and Rehabilitation."

Which was read

The Chair:

Is there any discussion on the bill?

Mr. Givens:

I have a motion to amend Bill No. 3358 by deleting the amount of \$2,000,000.00 and inserting in lieu thereof the amount of \$1,850,000.00 chargeable as follows:

HD 79-06	\$1,800.00
CC 79-01-U.L.O.	50,000.00

Mr. Stone seconded the motion.

Mr. Stone:

There is another \$150,000, so it still ends out with \$2 Million.

Mr. Givens:

It does.

Mr. Stone:

It's just a matter of coming from the right Code Accounts, the total is as Council approved it on Wednesday, an extra \$400,000

making a grand total of \$2 Million.

Michelle Madoff:

Point of clarification—is this the monies also used for the 3% loans for rehabilitation?

I got a shaking of the head from Mr. Coyne and Mrs. Givens is looking at the bill.

Mr. Coyne:

No, this has nothing to do with that.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 3415

A Resolution entitled, "Resolution providing for an agreement with the Housing Authority of the City of Pittsburgh for the purchase and installation of closed circuit surveillance equipment at its facilities, in various locations, in the City of Pittsburgh."

Which was read.

Also,

Bill No. 3422

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with the Southwestern Pennsylvania Regional Planning Commission for payment to the City in connection with work performed to carry-out the 1978-79 Unified Planning Work Program."

Which was read

Also,

Bill No. 3423.

A Resolution entitled, "Resolution providing for a contract or contracts with Johnson-Mar x Industries, Inc., for a feasibility study of minority business manufacturing opportunities and minority industrial mini-parks development at a cost not to exceed \$4,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3512 Report of the Committee on Supplies for July 3, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3439

A Resolution amending Resolution No. 483, approved May 29, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of one air cooled process cooling system for a mini-computer for the Department of Police, and for the payment thereof', by increasing the cost to \$9,777.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinsons
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 3513 Report of the Committee on Water for July 3, 1979, transmitting two resolutions to Council.

Which was read, received and filed

Also, with an affirmative recommendation,

Bill No. 3463

A Resolution entitled, "Resolution amending Resolution No. 1589, approved December 31, 1978, effective January 1, 1979 entitled 'Adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; trans-

ferring Bond Funds to said Capital Funds by changing the description of line item WD-79-09."

Which was read.

Also,

Bill No. 3464

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of water lines on Fifth Avenue between Craft and Bellefield Avenues and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3464

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of water lines on Fifth Avenue between Craft and Bellefield Avenues and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(res't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson for Mrs. Masloff presented

No. 3514 Report of the Committee on Parks and Recreation for July 3, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3420

A Resolution entitled, "Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the J.F.K. Youth League for implementing the 1979 Summer Recreational Cultural Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 3438

A Resolution entitled, "Resolution providing for the execution of an Agreement or Agreements with Community Action Pittsburgh, Inc., in connection with Community Services Administration funding for the Summer Youth Recreation and Transportation Programs; and providing for required assurances and the furnishing of data and information relating to the Programs and Agreement."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3515 Report of the Committee on Lands and Building for July 3, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3428

Resolution amending Item (I) in Resolution No. 492, approved 5/24/79 for the sale of property in the 15th Ward on Montclair Street, Block 88-E-40, to Elmer McWilliams & Matilda McWilliams, his wife, for \$750.00 deleting acquired from Harry E. Black to read acquired from Harry E. Black 1/2 interest and Etta Beemer 1/2 interest. All else in Item (I) Resolution 492 shall remain the same and in effect.

Which was read.

Also,

Bill No. 3429

Resolution repealing Resolution No. 1178, approved 10/10/78 for the sale of two vacant lots in the rear of Breckenridge Street, Block 10-M, Lots 281 and 301, 5th Ward to Gloria Spearman for the sum of \$800.00. Being cancelled and hand money in the amount of \$100.00 to be returned by the Department of Lands and Buildings due to property being gutted by a fire.

Which was read.

Also,

Bill No. 3430

Resolution repealing Resolution No. 1135, approved 10/6/78 for the sale of property in the 18th Ward on Lafferty & Montooth Streets, Block 15-L, Lot 71, to Roy Walker for \$12,000.00 being cancelled due to a fire. Hand money of \$1,200.00 to be returned by the Department of Lands and Buildings.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

For those of us who were at the Mayor's meeting this morning, I brought to the attention of the group that there was an article in the paper on Saturday with reference to West Penn Water requesting a rate increase for which the City of Pittsburgh subsidizes the City residents to the tune of something like a million dollars. I called Marve Fine at home and Marv tells me that the story is not quite accurate, that they are not necessarily going to get the increase, that it is still pending and it is not automatic or that they are going to get it without a hearing as the article states. That may or may not be true but we have scheduled a hearing with the President of West Penn Water and I believe it is the 25th of July. It would occur to me since it was pointed out this morning, that the bill, and I know that Mr. Coyne has been quite concerned about it for some time, long before I got to Council it had come up and it appears that we've made an offer to West Penn Water and there was a problem in how the forms were prepared, they were in error and there was a bog down between—a breakdown in communications between the PUC and the

City and so on. It appears that the corrections have been made on the pleadings and they are going before the PUC in August. I don't know whether it would be incumbent upon us to cancel this meeting with West Penn Water until after we find out what the PUC will determine as to whether we can acquire the land by eminent domain, or do we want to meet with them anyway, they have expressed to me and to the Mayor that they do not want to sell. Perhaps the thing to do would be to check with Marv Fine and ask his opinion, but I would suggest that we decide what to do so that we don't waste this body's time on a hearing that might be in the wrong schedule.

Mr. Stone:

That matter is pending before the PUC, I think it makes good sense to wait until after.

Michelle Madoff:

That would be my thought.

Mr. Stone:

In line with her, Mike, if she is making a motion to take it off there until after, I second the motion.

Michelle Madoff:

Well, could we wait on the motion to make sure that what we heard at the Mayor's meeting was indeed accurate? Would you check with Marv Fine and if it is the case and his opinion, then we would cancel it.

The Chair:

Do we know that decision is going to be made?

Mr. Stone:

It's coming up in August and I think we ought to wait.

Michelle Madoff:

That was information that we received this morning but I think it should be verified.

Mr. Stone:

Each party may have to make some disclosures before that hearing, which is not wise. Assuming the hearing is in August.

Michelle Madoff:

On a related but separate matter, I would like to read Council a letter that I received, undated, but it is recent:

"Dear Michelle:

I am writing in regard to the Brashear Reservoir. For three years now, the residents in the vicinity of Brashear Reservoir have complained of noisy parties, drugs, offensive language and nude swimming in the Reservoir itself.

Yesterday I was witness to these things. It is very disturbing to know that this is the water that the people in this area have to drink. Last year a guard was posted there with little effect. As a matter of fact, one of the guards actually brought his family up to the Reservoir for a swim. The answer is not more police patrols because of the location. These people set up lookouts and when they see the police coming they alert the others and all scatter into the woods.

Please keep me informed as to what action is being taken to correct this situation."

As you know, there is \$125,000 set aside, before I got to Council, to engineer and put a cover over the Brashear Reservoir as a pilot, a cover to be made of some kind of plastic and in light of the fact that the perpetrators who are swimming in the pool and crawling under the hurricane fence, I think that is what it is called, are actually tearing the doors off and throwing them in the water. Mr. Miller felt that he was opposed to that cover and we were looking for some alternatives. We have a hearing that is coming up, that is another reason why we want to cancel ones we don't need to have, on various parties pertaining to the Water Department. I gave you a list at one point and I'll do it again if necessary, I read it off one day here

in Council. I think at that point we might have EPA and DER in and I think it is very important, because it is my understanding from my somewhat limited knowledge of reservoirs that that water has been chlorinated the chlorination is affected by sunlight, and then to have people swimming in it, you are affecting the water with a lot of other things we don't want to drink. It may be of such volume that it is really not hazardous to health, but I think it is something that certainly should be checked, it was obviously important enough for Council to appropriate some money some time before I got here.

I had a thought that I would just like to throw out and perhaps we could discuss it at the meeting, but I am thinking in terms of a burglar alarm system, it has been done for other installations.

The Chair:

I think we all agree with Director Miller that the first covering wasn't adequate and they were going to come up with another cover, I don't think they ever did.

Mr. Coyne:

Mr. President, I'd like to know whether or not Director Miller has had a change of heart because for years Director Miller has come to this Council and advocated that those covers be put on at least two reservoirs, Bedford and Brashear, now if he taking a position that he is opposed—

Michelle Madoff:

He took it publicly at our session.

The Chair:

No, I think we are talking about the original covering, it wasn't solid enough—

Mr. Coyne:

No. I don't think that is accurate, we gave the Director an awful lot of flexibility in being able to go out and get whatever kind of cover, within the monetary restraints that he wanted.

The Chair:

I said we did, but I said originally he said

then, we agreed, that the original cover was not the answer to the problem.

Mr. Coyne:

He has changed now?

Michelle Madoff:

In answer to your statement, I don't know whether you were present that day or not, but he has publicly stated as a matter of transcript record, that he does not think that is the way to go now and the reason being, I think he did it at budget time, maybe someone else remembers as well, he felt that because they were ripping off the doors, and because you could cut it with a knife, and because you could roll it back—

Mr. Coyne:

Well he knew all these things when he brought the proposal before us over four years ago and even when we put it back in the budget after it was taken out, he knew that these things are potential hazards of that kind of a cover. He's always been 100% behind that type of cover.

Michelle Madoff:

Well, everybody agrees we've got to do something, the thing is what. He now says his original premise is not the way to go. I'm not an expert in that area but you know we did go out and hire Shuckrow and Touhill and we were to have an update from that firm, that was part of what are they doing on cataloging all the potential sources, affluent upstream so that we can pinpoint what happened after we never did get an answer to what happened with that last episode in East Liberty.

Mr. Coyne:

Well, I'd be interested in talking to Director Miller on Wednesday when he comes up here to see what made him change his mind so drastically because he is the one that brought it to this Council. There were some Members of Council opposed to it and we passed it in spite of that.

Michelle Madoff:

Well, what I am suggesting perhaps, is

that I have learned that there are companies that -- they are not electrified, they are like burglar alarm systems. I don't know of any other ones, at the Collax School they have the electrical system enclosed with the hurricane fence across the top as well and I am suggesting we go three or four feet into the ground so that you can't crawl under, cover the top as well and put a burglar alarm system on and hopefully the police will answer it.

Mr. Givens:

If I might add, there were some other reasons why we wanted that cover put on that and one was contaminants getting in the water, the other thing, and they could probably get some money right now, monies are now available that were not available a couple years ago and that is on Civil Defense.

You talk about what happened at Three Mile Island, if they did have a radiation fallout, all of our reservoirs are open reservoirs with the exception of where we have the tires, and even those tires in most cases, the water is pumped from an open reservoir again, meaning we do not have an enclosed system other than if a reservoir would be covered over. So, if we were to have a contaminant fallout or something that came through the air within the City of Pittsburgh, it would be nice, more than nice, that is almost a fact of life, you cannot live without water.

Michelle Madoff:

What do you mean it is almost a fact of life, it is a fact of life.

Mr. Givens:

The water supply in strategic locations in the City, and that was my main reasons, as Bill indicated, there were several Councilmembers who were greatly in favor of that and along with that it would have hopefully done away with some of the things that were happening at the Brashear Reservoir.

Michelle Madoff:

I get the sort of feeling, and I wonder if other Members of Council share my concern, that if we don't do some of these things, then

we don't spend the money and we have surplus at the end of the year and there is a sort of feeling on the part of the Administration not to do these things so that's more money left in the kitty as a cushion. I think in some instances such as, and I correct you if I may, you cannot live without water, its not may not, you can't, and that it might be important that we follow through on this item and have the consultant who paid for these consultants to advise us as to what would be a visible alternative, including the one that I put forward, which may be silly, but I have learned that army installations and other installations are using that system. It might even be cheaper than the cover, I don't know. I think that you would put a cover attached to the mesh as well which would keep dead animals and birds or whatever out.

Mr. Stone:

Mr. President, if I may, I think Councilman Coyne has given a fair and accurate resume of what has happened in the past. Bill, I think there has been lately some ruling by the EPA which indicated those reservoirs had to be covered and that is where I think there may be a change. If I recall there is some letter that came out relative to that matter.

Michelle Madoff:

Its still pending, its the Safe Drinking Water Act and they haven't made a definite decision.

Mr. Stone:

I'm aware of the Safe Drinking Act.

Michelle Madoff:

I know, but I think that they are still reviewing and they haven't come upwith a definite conclusion on this.

Mr. Stone:

No, there is a letter that pretty much indicated this City should cover, its almost demanding that we do cover. The next question was what you do with it, but that is a different story. I just wanted to tell him what I thought was the change in (Director) Miller's attitude.

Michelle Madoff:

Well, I was hoping that we could have EPA here to clear that up specifically, that is the kind of question at that post agenda or hearing.

The Chair:

One thing we are all agreed upon, poison water wouldn't be good for any of us, correct? That is a point we are all agreed on.

Michelle Madoff:

Not even water that makes you sick.

Mr. Givens:

Mr. President, on another subject for post agenda for this coming Wednesday, I would like to have Stephen George and Paul Brophy here to discuss housing and the subsidized housing program that we have in the City of Pittsburgh and hopefully the old sub-committee that Council used to have might be enlightening. Established under the sub-committee in Council, a \$15,000.00 maximum on subsidized housing. At that time the housing, the cost then for those homes were running between \$31,000 and \$32,000, so in fact we were subsidizing about half of the cost of that particular home. Today those same homes, square footage wise has increased up to \$47,000 and it is to the point now that the intent of the people that we wanted to give that housing to cannot now afford that housing and there are some ways we can work around this and I would like for those two Directors to come up prepared Mr. Perry, to give us some answers as to how this can be done.

There is pending right now, around 15 to 20 some homes in the Hill District and about another 8 or so homes out in the East Liberty Area of the City of Pittsburgh were the people are now in a bind and reluctant to make a final closing on the homes.

Michelle Madoff:

Mr. President, I'm sorry, I forgot a third item on Water. The other item that was mentioned this morning was that last year we had discussed, a number of Members of Council, including Mr. Stone, going to a

uniform water rate, I was told it was being looked into, I subsequently got the memo from Mr. Donahoe which indicated a very slight increase to industrial and commercial users. Subsequently spoke to Ken Fields who told me that we can't go that route because Heinz and J & L would scream and they would go to other sources of getting their own water from wells and perhaps putting in their own bug plants, b.o.d.'s and it is my experience in dealing with U.S. Steel that its too costly to go that route and I suggested that we look into that. This morning the Mayor said for Mr. Miller to look into it with J & L and Heinz, etc. I think it would probably be more fitting for either the Members of Council, either myself being head of the committee or at a post agenda meeting to have those directly affected such as the big users and ask them whether the increase would be that great and have some specifics from the billing department, meaning Mr. Donahoe's office, etc., as to what it would mean. My understanding is that it would be .5 or .05, it was not a great amount and I can't see for that increase, that they would be running to find alternative sources and it would generate \$1 Million in revenue. I don't want to get to budget time again and be told its too late.

Mr. Stone:

No, its not late at budget time, in November and December is the proper time to do it.

Michelle Madoff:

Well, there is nothing wrong with doing it now and looking into it now, because we are going into vacation in August, we are into the middle of July.

Mr. Stone:

It would be nice to have some large company that we are not overcharging them. That would be novel.

Michelle Madoff:

I quite agree, but on the other hand, when I'm getting the word back from Mr. Miller and Mr. Fields that we are just going to push them into going some other way and it may be unwise for us to take their word and say lets not go that way and we pursue it further. There seems to be some inclination

on the part of this body to proceed further and I'm just asking should we or shouldn't we and how should we do it? Obviously we don't want to take their word because we are saying lets look further.

Mr. Stone:

Well, thats what we do at budget time. At the last budget situation when we changed the water rates, we did that after investigation, not before.

Michelle Madoff:

Well, last year, every time I mentioned it you told me we are looking into it and I said who is the we, since I'm heading the Water Committee and when I brought it up again at budget time I then was told, "too late"

Mr. Stone:

Nobody told you before the budget was actually passed that it couldn't be done, no one told you that.

Michelle Madoff:

I was told, if you will go back to the records, it is a matter of record that you said to me, "we are looking into it".

Mr. Stone:

Well, your problem is, sometimes you don't understand when you say something. Now, we went through all the hearings --

Michelle Madoff:

We share the same problem, which is human.

Mr. Stone:

Well, fine, if you are done, I'll start -- what had happened was, we went through all the hearings and you didn't even bring it us, then you had an afterthought in the closing days and we indicated that at that time it was rug-cutting time, we are not going for new and novel things, that someone had an afterthought on, we were going into those matters that were now all finished with and coming through with the budget. Now, that's the time you were told that and not before.

Michelle Madoff:

I'm sorry but you are incorrect, I brought it up earlier and was told that we are looking into it, if we were looking into it I wasn't obviously too late. When I brought it up again, I was told I was too late.

Mr. Stone:

All right, we'll leave it at that.

Michelle Madoff:

Mr. President, we haven't resolved that, should we ask the corporations to come to a post agenda meeting -- the three or four that are directly affected? How should we proceed?

The Chair:

Its your prerogative, if you want to. Mr. Stone thinks it would be more appropriate at budget time, if I understood him correctly, but if you want them here --

Michelle Madoff:

Well, I think at budget time we are going to, as you say, "cut the rug", we ought to find out now whether we want to cut the rug or not. Perhaps it might be in keeping then, for a letter to go from my office to the companies most directly affected and get some input from Mr. Donahoe.

The Chair:

Give the names of the corporations or people you want here to Mike Perry and Mike can --

Mr. Stone:

I think we ought to write to the Director of Water and get his viewpoint on it and we have that source and then all we have to do is have a hearing on it when its budget time and that is the right time to do it, it seems to me to be more logical at that time.

Michelle Madoff:

Would you write to the Director, Mr Perry and do it quickly and if we get an answer back, I think the letter will say, as he

has indicated to me, that he is not dealing with it, the Administration is.

Mr. Robinson moved to excuse Sophie Masloff for absence from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, July 2, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on the motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, July 16, 1979

No. 30

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, July 16, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3516 Resolution transferring the total sum of \$3,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police to the

following Accounts: Code Account No. 1448, Local Auto Mileage Reimbursement - \$1,000; Code Account No. 1451, Repairs - \$2,000.

Also

No. 3517 Resolution transferring the sum of \$10,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies and Materials, within the Department of Fire.

Which were read and referred to the Committee on Finance.

Also

No. 3518 An Ordinance amending the Pittsburgh Code, Title Ten, BUILDING, Article VII, General Construction Regulations, Chapter 1065, Fire Prevention Equipment, Section 1065.09 APPROVED TYPES OF FIRE ALARM SYSTEMS and Section 1065.11, PERMIT FEES, by changing the definition of "selective code system" to required building owners to convert to the Pittsburgh Citizens Emergency System; and by changing the permit fees for fire alarm systems.

Also

No. 3519 Communication from Robert J. Coll, Supt., Department of Police, requesting permission for one Police Detective to attend Fourteenth Annual Polygraph Seminar, San Diego, California, August 5-10, 1979, at cost not to exceed \$685.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3520 Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation, in the amount of Eighty Five Thousand Four Hundred (\$85,400.00) Dollars in payment for Extra Work furnished for the benefit of the City in connection with the repaving of Fifth Avenue from South Highland Avenue to Penn Avenue, including waterline relay, new traffic signals, conduits, etc., Phase II, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3521 Resolution further amending Resolution No. 498 effective May 17, 1978, as amended by Resolution No. 804, effective July 27, 1978, as amended by Resolution No. 994, effective August 31, 1978, as amended by Resolution No. 135, effective March 1, 1979, entitled "Resolution providing for a Contract or Contracts or the utilization of existing Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing, asphalt planing and other work incidental thereto", by increasing the total amount authorized to \$3,100,000.00.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3522 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection of the fabricated structural steel for the South Aiken Avenue Bridge, and providing for the payment of costs thereof.

Also

No. 3523 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval for payment of \$20,000.00 for emergency work on East Ohio Street Sewer Reconstruction.

Which were read and referred to the Committee on Public Works.

Mr. Lally for Mr. Givens presented

No. 3524 Resolution amending Section II of Resolution No. 1267 of 1977, which Resolution was previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978 and by Resolution Nos. 252, 308, and 509 of 1979, entitled "Providing for the filing of a application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program", so as to transfer \$61,298.73 from PW-78-18 "East Liberty Study Implementation" into a newly created line item CP-78-08 "East Liberty Study - Commercial Revitalization Program", and further to decrease line item HD-78-10 "Housing Maintenance Service" from \$150,000 to \$0; and further, to increase line item HD-78-08 "Local Share of Improvements in HACP Communities" from \$2,000,000 to \$2,150,000, change title PR-78-27, and HD-78-02.

Also

No. 3525 Resolution providing for an Agreement or Agreements with the East Liberty Chamber of Commerce in connection with a Commercial Revitalization Program for the East Liberty Mall area.

Also

No. 3526 Resolution amending Resolution No. 1288 of 1978, which Resolution was previously amended by Resolution Nos. 18 and 393 of 1979, entitled "providing for an Agreement or Agreements with a Consultant or Consultants for professional traffic planning and engineering services in connection with improvements in the East Liberty Mall area", reducing the amount allocated from a cost not to exceed \$40,000, to a cost not to exceed \$38,701.27.

Also

No. 3527 Resolution providing for a Supplemental Agreement or Agreements with Opportunities Industrialization Center, Incorporated of Pittsburgh for services in connection with the Minority Contractor Bonding and Assistance Program, and increasing the amount from \$448,300 to \$542,300.

Also

No. 3528 Resolution providing for a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program, by deleting two line items; and further, reducing the amount in a certain line item.

Also

No. 3529 Resolution amending Resolution No. 690, approved June 12, 1978, effective June 27, 1978, providing for a Cooperation Agreement with the Housing Authority of the City of Pittsburgh for Improvements in Housing Authority of the City of Pittsburgh Communities in Support of Modernization and Rehabilitation by increasing the total cost to \$2,150,000.00.

Also

No. 3530 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mark S. Forbes for the sale of Parcel 46b in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 3531 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Shirley Faye Pratt for the sale of Part of Block 9S, Lot 70 in the Third Ward of the City of Pittsburgh.

Also

No. 3532 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority

of Pittsburgh and Giant Eagle Markets, Inc. for the sale of Parcel 10A in the Twenty-Eighth Ward of the City of Pittsburgh in Redevelopment Area No. 24.

Also

No. 3533 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Kevin Hurley, to attend Pennsylvania Council on Urban Economic Development meeting, Harrisburg, Pa. July 31, 1979, at cost not to exceed \$120.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3534 Resolution providing for the issuance of a warrant in favor of Casciato Brothers, in the amount of \$1,778.00, for extra work in connection with the construction of No. 2 Police Station, without previous authority of law, and providing for the payment thereof.

Also

No. 3535 Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc., in the amount of \$20,231.15, for extra work in connection with the Weatherization Program, City-County Building, without previous authority of law, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 3536 Resolution amending Resolution No. 1244, approved October 31, 1978, effective November 3, 1978, entitled "Resolution providing for a license to Duquesne Light Company for the installation of an underground electrical system on City property, Freeport Road, 12th Ward", by providing for additional equipment installation.

Also

No. 3543 Resolution providing for an purchase, in lieu of condemnation of park and other public purposes, certain property designated as Block 39-J, Lot 3 on Glendon Street in the Twenty-Eighth Werd of the City of Pittsburgh; and providing for the payment thereof.

Also

No. 3538 Resolution repealing Resolution No. 490, approved 5/24/79 which repealed Res. No. 650, approved 8/9/76 and re-enacting Res. No. 650 for the sale of property in the 19th Ward on Meridan Street, Block 6-M, Lot 98, to M.J. & Donna C. Marasco for \$450.00 which was later transferred to Gerald C. & Beatrice Rotthoff by assignment of M. J. & Donna Marasco.

Also

No. 3539 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3540 Communication from John C. Miller, Director, Department of Water, requesting interim approval to construct three support beams for 24" water main under southeast sidewalk of 10th Street Bridge, at cost not to exceed \$4,000.00 payable from Bond Fund No. 229.

Which was read and referred to the Committee on Water.

Mr. Robinson presented

No. 3541 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$5,627.25 to Keystone Diesel Engine Company, Inc., for repairs to City vehicles.

Also

No. 3542 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$1,197.67 to Allied Chemical Co. for chemicals used in Water Treatment Plant.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3543 Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Public Welfare for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 3544 Resolution providing for the issuance of a warrant to Helen Czachorowski in the amount of \$2,691.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also

No. 3545 Resolution providing for the issuance of a warrant to Leonard E. Monti, Police Officer, in the amount of \$4,000.00 in full settlement of lawsuit for lost wages.

Also

No. 3546 Communication from R. Douglas Long, Director, Pittsburgh Convention/Exposition Center submitting proposed budget for the David L. Lawrence

Convention Center for fiscal year July 1, 1979 - June 30, 1980, in accordance with Sec. B3 of the City-Council Agreement with the Public Auditorium Authority dated April 11, 1958.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3547 Communication from David L. Donahoe, City Treasurer advising Council of the appointment of George W. Jacoby as Duty City Treasurer for the period July 16-21, 1979.

Which was read, received and filed.

Also

No. 3548 Bond from fireman's Fund American Insurance Companies in the amount of \$200,000 for George W. Jacoby acting as Deputy City Treasurer for the period July 16-21, 1979.

Which was read and approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3549 Report of the Committee on Finance for July 11, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3451

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Sixty Five Thousand Seven Hundred and Fifty (\$65,750.00) Dollars in payment of 'Extra Work' in connection with the reconstruction of Eleventh Street, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3470

A Resolution entitled, "Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$4,114.24 in full settlement of claim for property damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3471

A Resolution entitled, "Resolution providing for the issuance of a warrant to Allstate Insurance Company and Fred Jr. and Hannah F. Herzog in the amount of \$17,846.45 in full settlement of claim for property damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3472

A Resolution entitled, "Resolution providing for the issuance of a warrant to State Farm Insurance Company and Patricia Haycook in the amount of \$849.87 in full settlement of claim for automobile damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3473

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sheridan Broadcasting Corporation in the amount of \$2,400.00 for spot announcements to implement Affirmative Action Recruitment Campaign for Police Officer candidates, furnished for the benefit of the City." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	None
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And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3474

A Resolution entitled, "Resolution transferring \$5,000.00 from Code Account No. 1064, Supplies and Materials, Department of City Treasurer, \$14,000.00 from Code Account No. 1068, Miscellaneous Services, Parking Income and Services, Department of City Treasurer to Code Account No. 1066, Equipment, Department of City Treasurer."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3475

A Resolution entitled, "Resolution providing for extra services under Contract 23835F with Coopers and Lybrand in connection with the development of a new Capital Project Control System."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	6	Noes	2
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(MR. COYNE AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3477

A Resolution entitled, "Resolution amending Resolution No. 208, passed in Council March 29, 1976 entitled, 'Resolution approving the appointments of Attorneys John R. McKinley, Jr., Gilbert S. Solomon, Vincent J. Grogan, Donald John Lee, Cyril A. Fox and Byrd R. Brown to serve as Legal Advisors to the Council of the City of Pittsburgh, at the rate of \$40.00 per hour, for wages plus allowable expenses chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc.' by adding the name of Arthur C. Kellum and changing the Code Account Number from 1001-1 to 1001-2."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, on Bill No. 3477, earlier today, Mr. Coyne and I were thinking of getting one of the attorneys assigned to Council to give us a legal opinion on a matter relating to PPG and he mentioned that he thought at some point in time he had used an attorney not necessarily listed in this list. Today I asked you about an attorney that would have some special expertise in a certain area and my concern, and I am not opposed to any of these gentlemen perse, but my concern is that at some time when Council wants an opinion, we might want to pick any attorney in a special field and while I would like to see perhaps a fee set, I would like to see not restricted to special attorneys. That is the reason I voted in opposition.

The Chair:

Well, I think it was made rather plain at last week's meeting, if any respective Councilperson. We are not limited to the people on we do have to make it official as we did last week for Mr. Robinson and we can do the same for you Michelle or any other Councilperson. We are not limited to the poeple on this list. If we can't get the expertise there we'll go somewhere else.

Mr. Coyne:

Mr. President, I think the point is and I think what ought to be cleared up now is that we are not restricted to using those attorneys, so there is no question, if you have someone you wanted to use —

The Chair:

Absolutely not.

Michelle Madoff:

All I'm saying is that I don't think we should have any names and then when we have somebody we just vote on that name.

Mr. Coyne:

Well, you have to know how this originated — when it originated it was such that we were going to hire on person as a member of Council's legal staff, one individual and pay him \$40,000 per year. The suggestion was made by Members of Council that one person might not have the diverse expertise in areas that might be helpful to Council and so we said well, we'll name several and be able to pick from them.

I think the important thing for Mrs. Madoff's considerations is that we are not restricted to these attorneys.

Michelle Madoff:

Well, I accept that, I'm only saying that we should fix a fee at which we would hire people and then it would be up to Council —

Mr. Coyne:

That's already established.

Michell Madoff:

...and not list anybody on the list. That we can hire a attorney in a special field without listing. Automatically Councilmembers would go to these people first of all and maybe that isn't what we should be doing.

Mr. Coyne:

Well, that's not necessary, you know you wouldn't have to go to these people if you choose right now today to go to someone else, that would be approved by Council.

Mr. Lally:

These attorneys are specialists in the field that we need them in, this is why we chose these people.

Mr. Stone:

Mr. President, if I may, I think we better clear the air on this matter presently. This does not give any iindividual Councilman a right to go out and grab counsel on their own. What this was designed to do was to provide a attorneys bank as Mr. Coyne has indicated. Originally we wanted one, we settled for a bank of people who we though Council, if we

had to do it, but it was also attached to that, in order to keep some control over it they would have to go to the President of City Council to get approval before they go to any lawyer that, it was not just freedom to go and grab a lawyer and get any interpretation you want. If there was some question from the President of the Council he would then bring it back to City Council as a body for them to approve it. It was just not a wholesale effort that anyone individually on Council can go engage counsel without --

The Chair:

I appreciate your remarks Bob and they are in order but in the case of Mr. Robinson, he did the very thing you are talking about and so did Michelle Madoff for that matter. It's just a matter of us bringing it to the table on Wednesday and getting permission. Both did it properly and as far as choosing your own attorney, if you feel that the others don't have the expertise, I don't really think it is a problem, I think Mr. Coyne put it very well.

Mr. Stone:

Well, I'm just laying out the procedure so there is no confusion.

Michelle Madoff:

I have not quarrel with the procedure, I would just not like to see any attorneys listed until we have a special area of concern and we go to somebody in that field who has expertise and get the approval of the President to do so and then have that person's name voted on by Council.

The Chair:

Well, Michelle, its the same old story, those names are available and as Mr. Coyne said, if they don't have what we want, if they don't have the expertise, we can go somewhere else, we're not limited to that group of names, okay?

Michelle Madoff:

I'm just explaining why I am voting in opposition of the bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
	Mr. DePasquale
	(Pres't)

Ayes	7	Noes	1
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(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3550 Report of the Committee on Public Works for July 11, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3452

A Resolution entitled, "Resolution vacating a portion of Surban Avenue at Sherwood Avenue in the Twentieth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3453

A Resolution entitled, "Resolution vacating Hawthorne Street, between Stanton Avenue and Arcade Way in the Tenth Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any question on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally for Mr. Givens presented

No. 3551 Report of the Committee on Planning, Housing and Development for July 11, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3486

A Resolution entitled, "Resolution amending Resolution No. 1549 of 1978, which Resolution was previously amended by Resolution Numbers 251 and 517 of 1979 entitled 'Providing for the filing of an Application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program,' so as to decrease line item HD-79-10, 'Energy Conservation and Insulation Program' from \$550,000 to \$400,000; and further, to decrease line item HD-79-17, 'Development and Continuation of Pilot Programs' from \$300,000 to \$250,000; and further, to increase line item HD-79-06, 'HACP Improvements' from \$1,600,000 to \$1,800,000; and further, to delete 'Mayor' from line item CC-79-01, 'Unspecified Local Option'; and further, to transfer

\$500 from HD-79-08, 'Administration - Salaries' to HD-79-08, 'Administration - Expenses and Services', to correspond with the 1979 Salary Ordinance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3552 Report of the Committee on Supplies for July 11, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3468

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 160 sections of Fire Hose for the Department of Fire, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3553 Report of the Committee on Lands and Buildings for July 11, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3431

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended," (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3458

A Resolution entitled, "Resolution providing for the acceptance of a deed from Urban Redevelopment Authority of Pittsburgh, for a nominal consideration conveying certain property in the 28th Ward on Broadhead Forging Road, containing 145,568.03 square feet and designated as Block 70-E, Lots 55 and 57 for public park purposes to be used for a swimming pool."

Which was read.

Also,

Bill No. 3459

Resolution repealing Resolution No. 469, approved 11/26/74 for the sale of property in the 31st Ward on Benezet & Suzette Streets Block 91-D, Lots 46 and 27 to William Dunklin and Rhae H. Dunklin, his wife, for the sum of \$650.00 for the reason the City of Pittsburgh could not give clear title to parcel 91-D, Lot 46 taken erroneously from the wrong registered owner. Hand money to be returned to petitioner. (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3460

Resolution amending Item (A) in Resolution No. 447, approved 5/16/79, property in the 13th Ward, rear of Remington Avenue, Block 232-D, Pt. Lot 94 to Richard Harris for the sum of \$1,500.00 by deleting plan Lot Nos. 3 and 4 and inserting in lieu plan Lots 4 and 5. All else in Item (A) shall remain the same and in effect.

Which was read.

Also,

Bill No. 3461

Resolution amending Item (B) on page 2 of Resolution No. 492 approved 5/24/79, property on 5647 Second Avenue between Renova Street by deleting the name Raymond A. Laine and Helen Ward and inserting in lieu thereof "Raymond A. Laine and Susan M. Laine". All else in Item (B) shall remain the same and in effect.

Which was read.

Also,

Bill No. 3462

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePsquale (Pres't)

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

This morning I sent a telegram to President Carter and to two of his aides so that hopefully he would get it shortly, to Al Allman of the Ways and Means Committee, Senator Heinz, Joe Gaydos, Doug Walgren. I have been in communication with Congressman Moorhead for some two years now and I have given Council a little packet of some of the correspondence that took place previously and a most recent letter that I did send to Moorhead and his telegram back to me. I don't recall exactly what the telegram said because they are going to send me a copy, but I'd like to read what I think it said, in essence, and I would hope that Council, and we have been in touch with the Commissioners and we do feel that both the, we sent it also to the Governor of the State, will be very supportive of this concept and I would hope that Council would be as well -- if one million jobs will be lost because of impending recession, and we've been reading that in the paper, more than one million jobs can be the outgrowth of a meaningful energy tax credit. What I am recommending is a one shot \$10,000 energy tax credit to householders, that is anywhere in the United

States, head of a household, with a five or ten year write off payback to encourage installation of energy saving devices. Incidentally, that's not unique to industry, they've had tax credits for years for pollution controls etcetra.

The energy tax credit could be used for, but not restricted to, installation of the solar system windmill, more efficient furnaces or dampers, adequate insulation, storm windows or doors, recirculating fireplaces or even more efficient appliances.

The temporary revenue loss would be more than offset by the burgeoning growth in solar and related alternative energy industries and the jobs they would generate. The present \$2,200 solar tax credit is in reality a non-incentive. How many people will spend \$12,000 to save \$2,000? \$12,000 will buy a lot of energy even at today's escalating rates. The single greatest impact in inflation which creates devastating hardships on the average taxpayer is the meteoric escalation of energy cost. Taxpayers fighting for economic survival can no longer wait for assistance. A meaningful energy tax credit must be provided now.

Here in the northeast, I coordinated an energy conservation house which opened for inspection last week, as a matter of fact, all Members of Council were invited and it is open and please, any time you would like to go out, we'll have somebody there to take you through.

Our calculations show 59% of the heat, that's hot water, the heat in the house, will come from solar systems plus energy savings from proper insulation, the heatolater fireplaces, the proper insulation of the roof and the walls, electrical outlets which are insulated, innovated lighting, etc. What we'd like you to do is come out for yourself and I think you will find it fascinating, there is a computer read-out which is like a digital clock and it reads all the time, when a cloud goes by you can see the reading change, if you turn the fan off you can watch the collectors go up in reading.

The centralized alternative energy systems for householders is the only real hope of keeping energy bills at a reasonable level,

and I would ask that, we could wait and put this in the form of Whereas as a resolution but I don't think that is necessary and I would like to make a request that a resolution be passed that Council support this concept and I would hope somebody would second it.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, before we close, are we going to deal with the resolution that is before us but is not before us -- the memorandum about the meeting on Wednesday? Before we close I'd like some clarification if I may.

Mr. Coyne:

Mr. President, I would request that Mr. Noonan and Mr. George from the Urban Redevelopment Authority be present at our Wednesday Finance Committee Meeting to discuss the PPG Project and also to have Mr. Spearing, the Mayor indicated this morning that he will notify Mr. Spearing to be here on Wednesday to discuss the report that Mr. Stone is going to have ready for the Members of Council.

Michelle Madoff:

In other words we still will move it off so we can have some discussion? That was my major concern, not so much --

Mr. Coyne:

Well, maybe Mr. Stone could address himself to that.

Michelle Madoff:

Well, before you do that, the letter that went out to the people over the weekend and that I was called on, said, "Please be informed that I propose to bring up for discussion and decision the matter of the Market Square Project," signed by Mr. Stone, and then you had your resolution based on other things, but, this morning's conversation with the Mayor, I'm a little bit

confused. I want to be sure that you are not withdrawing it and that we won't have an opportunity to talk about this and other alternatives.

Mr. Coyne:

No, I've discussed this with Mr. Stone and maybe he can elaborate on what the schedule is going to be.

Mr. Stone:

I must admit I sent that letter. I did inform the Market Square people that the bill would come off the table for a decision. Since I did not poll the Members of City Council I don't know what decision the City Councilmembers will make on Wednesday. I can but make the report to the Members on Wednesday and they will make whatever decision they want to make.

Decision is a generic term to which there are many options under the word decision and that is what we'll be facing on Wednesday, I indicated I would file a report on Wednesday and I will file that report. The bill will come up at that time and City Council then will take whatever action it desires to take at that time. As I indicated, since I did not poll the Members of Council, obviously I can't say what that decision will be.

The Chair:

Council will determine what to do after a hearing and report.

Mr. Lally:

What is needed, a simple majority to pass it, Mr. Chairman?

The Chair:

We're talking now about taking it off the table, am I correct??

Mr. Stone:

I'm bringing it up on the table for discussion, yes. And the decision that Council will want to make.

Michelle Madoff:

Mr. President, as you know, at this morning's meeting with the Mayor the question came up, the definition of the legality of the \$10,000 payment and I have the letter that was given to me by Mr. Dempsey the attorney for the Market Square people, and another letter from URA along with Mr. Stone's letter for Councilmembers. So you won't get it at the last minute.

Mr. Lally moved to excuse Mr. Givens for absence from this meeting. .

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, July 9, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, July 23, 1979

No. 31

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, July 23, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT:

Mr. Lally

The meeting was opened by the recitation of the Pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3554 Resolution creating a special trust fund for the receipt and disbursement of funds for training and related expenses for police recruits; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3555 Resolution providing for the issuance of a warrant in favor of Noralco Corporation, in the amount of Twenty Eight Thousand Seven Hundred Seventy Dollars and Twenty Cents (\$28,770.20) in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase 1 - Demolition, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3556 Resolution providing for an Agreement or Agreements with Advo-System, Inc. (ADVO) for a computerized mailing list of residential addresses in the City of Pittsburgh in connection with the Department of Environmental Services Ten Year Solid Waste Management Plan, and providing for the payment of cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3557 Resolution providing for a transfer of \$10,000.00 from the 1979 Community Development Block Grant Trust Fund, Department of Housing, Salaries, CDHDS (HD-79-08) to Code Account North Side Urban Development Action Grant Program (NSUDAGP), Salaries, Temporary Employees contained in Resolution No. 121 of 1979.

Also

No. 3558 Resolution providing for heriodic transfer of amounts not to exceed the aggregate sum of One-Hundred Thousand Dollars (\$100,000.00), from the 1978 Community Development Block Grant Program Trust Fund (HD-78-02), Weatherizing Homes in Pittsburgh, Salaries, to the CETA T6, Trust Fund, federal funds to pay for wages and fringe benefits to CETA enrollees in the WHIP Program.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 3559 Resolution providing for a Supplemental Agreement or Agreements with ACTION-Housing, Inc. for professional services in connection with the Department of Housing's Neighborhoods for Living Center, amending the Agreement between the parties dated February 16, 1979 by providing for additional services and by increasing the amount provided therefore.

Also

No. 3560 Resolution providing for an Agreement or Agreements for services in connection with the collection of Business and Economic Development Information and providing for the payment of the cost thereof.

Also

No. 3561 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings, and providing for the payment of the cost thereof.

Also

No. 3562 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title, and Interest, if any, in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 175-B, Lots 106 and 226; Block 174-B, Lot 242; Block 174-R, Lot 139; Block 125-M, Lot 354.

Also

No. 3563 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the winners of the Homewood-Brushton House Sale lottery held on June 7, 1979 or the highest ranking qualified alternate, if said winner fails to qualify, for the sale of Block and Lot Numbers 125-L-24, 125-D-64, in the Twelfth Ward of the City of Pittsburgh and 174-G-306, 175-A-41, 175-B-226, 175-C-308, 175-C-302, 125-M-354, 174-R-139, 174-F-89, 174-B-302, 174-B-109, 174-E-199, 174-B-279, 174-B-279, 174-B-149, 174-B-242, 175-C-21, 174-P-46, 174-F-263, 174-F-278, 174-N-297, 174-N-304, 175-B-106, 175-H-132, in the Thirteenth Ward of the City of Pittsburgh, hereinafter referred to as properties.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Givens for Mr. Lally presented

No. 3564 Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$1,241.40, in payment for the repairs to the refrigeration system at the North Side Public Safety Building and providing for the payment thereof.

Also

No. 3565 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$57,369.05 and \$30,357.70, totaling in the aggregate \$87,726.75, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, and providing for the payment thereof.

Also

No. 3566 Resolution transferring the total sum of \$11,017.00 from Capital Project LB 77-07, Third Floor Renovations, to Capital Project LB-77-09, Renovations of Various Public Buildings, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Finance.

Also

No. 3567 Resolution amending Resolution 926, effective October 11, 1977, entitled: "A Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended, entitled "Resolution - adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds", by reducing project allocation and transferring funds to the respective account.

Also

No. 3568 Resolution providing for a license to Duquesne Light Company for the installation of overhead wires, cables, and one (1) anchor on City property, McKinley Park 18th Ward.

Also

No. 3569 Resolution providing for a lease of certain property at South 4th Street and Bingham Street, 17th Ward, from M. Berger Land Company, for a term of three (3) years, for office space and the storage of vehicles of the Department of Environmental Services and warehouse storage for the Department of Supplies, upon certain terms and conditions; providing for

the payment of the costs thereof.

Also

No. 3570 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also

No. 3571 Resolution providing for the filing of a petition for the sale of certain property acquired at a tax sale in accordance with Act No. 514 of 1947, as amended.

Also

No. 3572 Resolution providing for the filing of a petition for the sale of certain property acquired at a tax sale in accordance with Act. No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3573 Resolution providing for the issuance of a warrant in favor of Meyers Plumbing & Heating Supply Company, 2127-35 Fifth Avenue, Pittsburgh, PA. 15219 in the amount of \$664.10 in payment for the purchase of 29 curb boxes furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3574 Resolution providing for the issuance of a warrant in favor of Standard Machinists - Supply Company, P. O. Box 1287, Pittsburgh, Pa. 15230 in the amount of \$281.85 in payment for Repairs to a Portable Versa - Mill Machine furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3575 Resolution providing for the issuance of a warrant in favor of RR & S Equipment Company, 100 Sylvan Avenue Verona, PA. 15147, in the amount of \$1,675.00

in payment for repairs to a S-54 Tapping Machine furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3576 Resolution providing for the issuance of a warrant in favor of Pascoe Equipment Company, R.D. 2, Oakdale, PA. 15071, in payment for rental of a loader and backhoe furnished for the benefit of the City and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also

No. 3577 Resolution amending Ordinance No. 451, approved August 20, 1975, entitled "Providing for a contract or contracts for the relaying of a 36" transmission main water line at South 34th Street including the purchase of required materials, appurtenances, and other work incidental thereto, and providing for the payment of the cost thereof," by decreasing the appropriation therein.

Also

No. 3578 Resolution providing for an agreement or agreements with a consultant or consultants for professional engineering services in connection with the design of water line installation in the West End-Elliott section of the City; and a soil analysis study of the area involved and providing for the payment of the cost thereof.

Also

No. 3579 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive equipment, less trade-ins, for the Department of Water and for the payment thereof.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3580 An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article II - Communications, Chapter 425, Cable Communications, by

making various changes thereto.

Which was read and referred to the Committee on Public Works.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

On July 16, the Department of Public Works officially advertised for proposals for a cable communications system to serve the residents of Pittsburgh. Proposals are due October first. After the Bureau of Cable Communications and the Department of Public Works evaluate the proposals, the City will select a cable company by December 31, 1979.

On behalf of Council, I want to extend special thanks to Council's Cable Advisory Committee chaired by Father Ron Lengwin, Public Works Director John Ruff, Brother Richard Emenecker, Superintendent of the Cable Bureau; City Solicitor Mead Mulvihill and Assistant Solicitor Virginia Cook who brought this project to the stage of advertising for proposals on schedule so that we can "Sign in 79".

Their efforts have produced a Request for Proposals that is very thorough.

I am pleased that the Request for Proposals is designed to encourage all applicants to include Community Communications services and facilities in their proposals to that cable in Pittsburgh will be much more than better reception and pay TV.

Recently Council's Cable Advisory Committee recommended that we reexamine the bonding requirements of the Cable Ordinance. As a result of my examination of this issue, I believe some of the bond requirements can and should be lowered. The amendments I am proposing today will

reduce by 75% the portion of monthly subscriber rates that will go toward paying for the bond premiums.

I am not recommending that any bonds be eliminated - just the amount reduced to a level that adequately protects the City's interests and does not make each subscriber pay for over-protection.

Even though we expect the company we choose, will succeed, the element of risk and potential failure will always be present when dealing with a commercial service.

If the cable operator does not meet the construction requirements or fails to provide any services, the City is still very well protected with the lower bond requirements.

In addition to the bonding and insurance provisions, the cable contract includes penalties of several hundred dollars per day for failure to meet any construction requirements. Minimum guaranteed franchise fee payments to the City, each year, are required. The City also has a first security interest in the system for all franchise fees due the City.

The cable operator must maintain a one million dollar performance bond for each year of the agreement. Finally, we have established a Bureau of Cable Communications to monitor the performance of the cable company and its compliance with the cable ordinance and the contract.

With the reduction in bonds, more residents may be able to afford cable service. The cable operator will also be able to offer more services instead of paying unnecessarily high bonding and insurance premiums.

The adoption of these amendments will not interfere with the time schedule of receiving proposals on October 1 and the selection of a cable company by the end of this year.

Mr. Givens:

Mr. President, I would just like to make a comment, it was something that our Cable Communication Committee has been trying all along, when the Administration started

out with a \$23 Million bonding issue, it finally was reduced down to \$14 Million and I don't know what the last figure -- Sophie, what are the reductions in this?

Mrs. Masloff:

Well, they are in all classes. In the bid bond, it was reduced from \$3 Million to \$1 Million, the construction bonds, which are in three phases have been reduced substantially -- the first 24 month bond was reduced from \$6 Million to \$2 Million, the 25 to 36 bond million was reduced from \$4.5 Million to \$1.5 Million, the third phase, which was 37 to 54 months in completion was reduced from \$2.4 Million to \$1 Million, the sub-contractor's bonds, labor and materials, the first 36 months was reduced from \$4 Million to \$1.5 Million, the 37 to 54 months was reduced from \$2.4 Million to \$1 Million and the general indemnity insurance was reduced from \$5 Million per year to \$1 Million per Year.

The Chair:

Excuse me, not to cut you off, Mr. Givens, this is the first reading I think comments should be reserved for the final reading or the passing of the bill.

Mr. Givens:

Yes, my comment is that we are going in the right direction one that I've been pursuing and I'm sure other Councilmembers have also been pursuing, but the fact that we did go from \$23 Million to \$14 Million now to approximately, I gather, some \$7 to \$8 Million --

Michelle Madoff:

Nine, exactly --

Mr. Givens:

What, reduction or increase?

Michelle Madoff:

.We're down to \$9 Million

Sophie Masloff:

Close to \$9 Million, yes

Mr. Givens:

Close to \$9 Million indicates that we're going in the right direction when the highest bid in this bond for that Cable Communication as we can find out was in Syracuse and that was only still, \$1 Million. I'm glad its come about because it saves a lot of work in a hearing that we might have had to have.

Mr. Stone:

Dick, some of this is replacement, so its not nine, it drops down probably to about six.

Mr. Givens:

And that will be coming up this Wednesday?

Mrs. Masloff:

Yes.

Also

No. 3581 Resolution providing for an Agreement or Agreements with architects, engineers, landscape architects or surveyors for professional services in connection with the design of Brookline Park and Pool, and Northgate Park and Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 3582 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$9,000.00, for extra work in connection with Magee Recreation Center, Project No. P-7607.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3583 Resolution providing for the issuance of a warrant in the amount of \$1,758.70 in favor of United States Steel Corporation, Supplies Division, in payment for "Extra Work" performed at City Garage in connection with the installation of the fence, and providing for the payment thereof.

Also

No. 3584 Resolution transferring \$3,000.00 from C.A. 1174 Department of ES, Rental of Equipment to C.A. 1127 Advertising for Contracts; and \$7,000.00 from C.A. 1174 Department of ES, Rental of Equipment to C.A. 1145 Oils & Greases; and \$15,000.00 from C.A. 1174 Department of ES, Rental of Equipment to C.A. 1128 Miscellaneous Services; and \$90,000.00 from C.A. 10 Accounts Payable Prior Years to C.A. 1128 Miscellaneous Services; and \$25,000.00 from C.A. 10 Accounts Payable Prior Years to C.A. 1148 Automotive Parts.

Which were read and referred to the Committee on Finance.

Also

No. 3585 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a four wheel drive tractor from the Zoological Park Commission, and for the payment thereof.

Also

No. 3586 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of aggregate sum of \$13,776.75 to Allied Chemical Company for chemical Alum to be used in Water Treatment Plant. Funds are available in Code Account 1750, Chemicals, Department of Water.

Also

No. 3587 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$3,856.60 to Meyers Tire Supply for equipment needed to complete repairs to City vehicles.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3588 Resolution providing for the lease of certain property at 4th Floor, Room 405-413 of the Allegheny Building, 2nd Ward, from August 15, 1979, for a term of 37.5 months at a rental of \$1,366.66 per month, to

house the administration of the City's Employment Opportunities Pilot Program (EOPP), upon certain terms and conditions, and providing for the payment of the cost thereof.

Also

No. 3589 Resolution providing for the lease of certain property at Allegheny Building, 8th Floor, Rooms 801 through 815, 2nd Ward, from September 1, 1979 for a term of thirty-seven (37) months at a rental of \$3,466.66 per month, to house the operations of the City's Employment Opportunities Pilot Program (EOPP), upon certain terms and conditions, and providing for the payment of the costs thereof.

Also

No. 3590 Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also

No. 3591 Resolution amending a portion of Resolution No. 462 approved May 22, 1979 entitled "Providing for an Agreement or Agreements with ACTION-Housing, Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Community Action Pittsburgh, Inc. Council on Three Rivers, American Indian Center, Inc., Elder-ado, Golden Triangle Association, Greater Pittsburgh Camp Fire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, Northside Civic Development Council, Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, Theatre Express, United Jewish Federation of Greater Pittsburgh, Manchester Citizens Corp., Young Men's Christian Association, and Youth City of Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also

No. 3592 Resolution providing for an Agreement or Agreements with local colleges, universities and other accredited educational institutions, to provide educational training and educational services together with other appropriate and related educational materials and educational services for City of Pittsburgh CETA Career Advancement Voucher Demonstration Project participants and providing for the payment of the cost thereof.

Also

'No. 3593 Resolution amending Resolution No. 1159 of 1979, entitled "Providing for an Agreement with the County of Allegheny for the transfer of the City's 1978 Community Development funds as the City's share of the funds that will be expended by Elder-Ado, Inc., pursuant to a contract with the County for renovation of a piece of property known as the 'Beckman Building' ", by increasing the amount from \$75,000.00 to \$200,000.00, the additional \$125,000.00, chargeable to and payable from the 1979 Community Development Block Grant Trust Fund Program, Unspecified Local Options.

Which were severally read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 3594 Resolution providing for the issuance of a warrant to Nationwide Insurance Company and Regina Grebb, c/o Kirby L. Boring, Esquire, in the amount of \$1,825.00 in full settlement of claim for automobile damage, and providing for the payment thereof.

Also

No. 3595 Resolution providing for the issuance of a warrant in favor of the Pennsylvania Commission on Crime and Delinquency, in the amount of \$1,229.00 in payment of the refund of the unexpended project funds for Federal Grant Number DS-75-B-9-554 furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3596 Resolution transferring the aggregate total of \$25,000.00 within Coe Accounts of the Department of Law.

Also

No. 3597 Resolution authorizing and directing the City Controller to transfer \$50,000.00 from Code Account 1060, Treasurer's Office Salaries to Code Account 30, Refunds All Other Taxes.

Also

No. 3598 Resolution transferring \$1,300,000.00 from Code Account No. 1443, Department of Police, Salaries and Wages, Regular and Temporary Employees, \$500,000.00 from Code Account No. 1461, Department of Fire, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 44, Workmen's Compensation Fund.

Also

No. 3599 Resolution authorizing and directing the City Controller to create a Special Trust Account for the Comprehensive Employment and Training Act Private Sector Initiative Program (PSIP). Said Trust Fund shall be designated CETA - T.7 Trust Fund into which account there shall be deposited any and all United States Department of Labor Grant Funds, together with such local funds as may be required.

Also

No. 3600 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article II, Towing, Chapter 525, Towing Charges, Section 525.03, FEES AND PAYMENT FOR SPECIAL WORK, by changing the fee for payment of Special Work.

Also

No. 3601 Communication from Mead J. Mulvihill, City Solicitor, submitting summarizes settlements of Claims not exceeding \$750.00 for the Second Quarter of 1979, payable from Code Account 1081, Petty Claims.

Also

No. 3602 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Gladys Russell, Mary Keegan and Janice Strong, to attend U.S. Department of Labor Employment Opportunities Pilot Program Conference, Mobile, Alabama, July 26-27, 1979, at cost not to exceed \$1,200.00, payable from C-EOPP Trust Fund.

Also

No. 3603 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Barbara Combs, to attend U.S. Department of Labor Job Development Conference, White Plains, New York, August 21-25, 1979, at cost not to exceed \$400.00, payable from CETA Trust Funds.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3604 Report of the Committee on Finance for July 18, 1979 transmitting sundry resolution to Council.

Which was read, received and filed,

Also, with an affirmative recommendation,

Bill No. 3484

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219, in the amount of \$388.25, in payment for transcription done by a stenographic reporter of

Trail Boards, without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michele Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3485

A Resolution entitled, "Resolution transferring the amount of Fifty Thousand (\$50,000.00) Dollars from various Code Accounts to Code Account 1612, Street and Sewer Maintenance Division, Bureau of Operations, Department of Public Works."

Which was read.

Also,

Bill No. 3495

A Resolution entitled, "Resolution amending Resolution No. 253, approved March 14, 1979, effective March 19, 1979, entitled, 'Resolution creating a special trust fund for Maintenance of City-owned lots; transferring to said trust fund \$15,000.00 from Rents City Owned Property Trust Fund; and providing for the deposit of the funds in a bank account', by increasing authorized amount from \$15,000.00 to \$28,000.00."

Which was read.

Also,

Bill No. 3498

A Resolution entitled, "Resolution transferring \$15,000.00 from Code Account No. 1702 Municipal Obligation for Non-City Water Agencies to Code Account No. 1701 Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulles	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3504

A Resolution entitled, "Resolution providing for the issuance of a warrant to Northview Leasing, Inc., in the amount of \$1,020.00 in full settlement of claim for automobile damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes.

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No 3520

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation, in the amount of Eighty Five Thousand Four Hundred (\$85,400.00) Dollars in payment for Extra Work furnished for the benefit of the City in connection with the repaving of Fifth Avenue from South Highland Avenue to Penn Avenue, including waterline relay, new traffic signals, conduits etc., Phase II, and providing for the payment thereof."

Which was read.

The Chair:

I would like to mention that I will be voting no on this bill for reasons previously stated.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	

Ayes 7 Noes 1

1MR. DePASQUALRE VOTING NO)

And there being two-thirds of the votes of Council in the affirmative the bill passed finally.

Also,

Bill No. 3543

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Public Welfare for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3605 Report of the Committee on Public Works for July 18, 1979 transmitting one resolution to Council.

Which was read, received and filed,

Also, with an affirmative recommendation,

Bill No. 3521

A Resolution entitled, "Resolution further

amending Resolution No. 498, effective May 17, 1978, as amended by Resolution No. 804, effective July 27, 1978, as amended by Resolution No. 994, effective August 31, 1978, as amended by Resolution No. 135, effective March 1, 1979, entitled, 'Resolution providing for a contract or contracts or the utilization of existing Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing, asphalt planing and other work incidental thereto', by increasing the total amount authorized to \$3,100,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3606 Report of the Committee on Planning, Housing and Development for July 18, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3487

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Lawson Company for the sale of Parcel 1 in

the Fifteenth Ward of the City of Pittsburgh in Redevelopment Area No. 40."

Which was read.

Also,

Bill No. 3488

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Everett Metz for the sale of Parcel 48 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 3489

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gloria J. Nelson for the sale of Parcel 155 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3490

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert G. McFadden for the sale of Parcel 163 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3491

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Walter L. MMaddox for the sale of Parcels 140 and 141 in the Twenty-First Ward of the City of Pitts-

burgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3492

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John F. Salzer for the sale of Parcels 69 and 70 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 3607 Report of the Committee on Water for July 18, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3499

A Resolution entitled, "Resolution amending Resolution No. 83, approved February 2, 1978, entitled, 'Providing for a contract or contracts for the replacement of 4" water

lines serving fire hydrants in various sections of the City and the replacement of deteriorated water main lines and other work incidental thereto, and providing for the payment of the cost thereof,' by decreasing the appropriation therein.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayyes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	None
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3608 Report of the Committee on Parks and Recreation for July 18, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3501

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Young Men's Christian Association (YMCA) of Pittsburgh for camping services in connection with the City of Pittsburgh Senior Citizen Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3502

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public park and other pub-

lic purposes certain property of Leonard J. Desmet and MacCalleen C. Desmet, his wife, situated in the Twenty-Eighth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3503

A Resoltuion entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh or public park and other public purposes certain property of Catherine A. Reilly and spouse, if any, situated in the Twentey-Eighth Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

'Mr. President, I just wanted to ask Mrs. Masloff a question. On Bill No. 3503, the damage is between said City and owner; when did they agree on the term?

Mr. Stone:

They are setting up proposals so they can work it out.

Michelle Madoff:

Do we have to vote on it anyway?

Mr. Stone:

They need that for the playground. That is something that has been around City Council for five years.

Michelle Madoff:

If it is being condemned, they may not want to sell.

Mr. Stone:

We need it for the playground area because it is in conjunction with another area.

Michelle Madoff:

Why isn't there a dollar figure on there?

Mr. Stone:

Call them and find out and get back to us on it. I think the project should never have been held back.

Michelle Madoff:

I hope there's no ricochet problem later. Mrs. Masloff will supply the information to me.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, as you will recall at the last meeting, it was decided that we would introduce a resolution with reference to getting an expeditious movement on the time lag. I thought you hadn't seen it so we'll give you the courtesy of looking through it first.

The Chair:

The Clerk informed me that copies weren't supplied to Council.

Michelle Madoff:

Council Members don't have the name of the sponsors.

This Resolution is supporting the Administration and its desire to initiate policy to replace disabled City vehicles at an accelerated rate.

Michelle Madoff, Mr. Coyne and Mr. DePasquale presented:

Bill No. 3609

"WHEREAS, at the public hearing before City Council on Thursday, July 19, 1979, Pittsburgh residents expressed concern over the backlog of uncollected garbage throughout the City; and

WHEREAS, representatives from the Mayor's Office and the Department of Environmental Services indicated at the hearing that one cause of this problem is lack of sufficient and adequate refuse trucks; and

WHEREAS, nearly half of the garbage collection vehicles are in the garage for repairs and a disproportionately high percentage of the entire City fleet is judged to be old and in need of replacement; and

WHEREAS, the Mayor's Office indicated at this hearing that the Administration desires to initiate policy to replace disabled City vehicles at an accelerated rate;

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh hereby supports the Mayor's Office and requests the Director of the Department of Supplies to recommend to this Council a suitable means to obtain the necessary funds to institute a new procedure for replacement of vehicles, as necessary, in the entire City fleet; and

BE IT FURTHER RESOLVED, that Council trusts that the implementation of this Resolution will be quickly administered so as to alleviate the current crisis and

eliminate the long wait required in normal budget deliberations.

Which was read.

Michelle Madoff moved for approval.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, this seems to me that there are three issues indicated to this resolution and I wanted to get them straightened out.

One, it is my understanding that the Director of the Department of Supplies already has a recommendation or several recommendations for a possible accelerated replacement of our entire city fleet and those recommendations are going to be folded into the budgetary process that the Administration is now proceeding with, and the facts and figures are being put into the form of a budget.

The Chair:

At the hearing we were told by Director Walker that only three vehicles were being purchased at the present time. He may be in conflict with the Director of Supplies.

Mr. Robinson:

There is some inconsistency here. I think the issue that I raised is separate from the issue of the replacement of the refuse vehicles. Also, I think the issue of Council requesting the Administration to follow forward on the process. They have already indicated that that is another issue as it relates to expediency.

My concern is that it will not confuse the possible replacement of refuse vehicles to the replacement of the total fleet. We understand that there is so much that you can do between now and the end of the year regardless of the refuse problem as severe as it might be.

Certainly we are in a position to perhaps rent for less the vehicles, but to begin to replace the fleet or to deal with the overall problem between now and at the end of the year, we aren't going to adequately address

the situation. They want the refuse picked up from their yards or in front of their house and you can't do one without the other.

The Chair:

It is not alleviating the situation now.

Michelle Madoff:

I'm sorry you weren't able to stay for the entire meeting but what was pointed out was that the vehicles were old and giving us problems and it was predominantly in the Refuse Department.

It appears in the Public Works Department the snow removal vehicles that we have and the police cars are all antiquated. All of those city vehicles have been through so many accidents. That is my personal opinion. If you would look at any statistics, they would bear out the facts and it was pointed out by Mr. Yatch in conversation that he has a plan but wants to wait until the first of the year.

It was the consensus of the letter that I directed to the union people. I might add that I had received a note stating that 56 garbage trucks were out this morning at 4 o'clock and as of 9:30 a.m. they are still waiting!

I think the issue goes beyond the garbage trucks and Mr. Yatch is coming in with a plan. It was the consensus that the first of the year they were get going, but it takes 10 months before one truck on order comes in and we are waiting for one first now.

Mr. Robinson:

All I am saying to you is that they are two separate issues.

Michelle Madoff:

He wants to read it.

Mr. Robinson:

I agree, let's wait until Mr. Yatch comes in. If you are going to address them as two separate issues, fine; we can do something now.

I think waiting until the end of the year, we will get closer to next year's budget

period and will be able to deal with the money situation. We aren't going to do any better by changing over our whole fleet because we have been having problems with the garbage all along. Even if we rented 100 trucks today and go around to pick up the garbage, I would guarantee you that the complaints would still be coming in about the vehicles. I think we ought to get all that needs to be addressed, but separately.

The Chair:

I think the question if back of all of our minds that needs to be brought out is the fact that ordering trucks, you are talking about 9 to 10 months. Obviously there isn't any money in this year's budget to purchase any, so therefore, we have to pass one next December and pay for the trucks which we ordered now.

Michelle Madoff:

That was not my understanding. My understanding was that it was going to be paid for by the bond issue and we wouldn't have to wait until the first of the year.

The Chair:

The trucks wouldn't be ready.

Michelle Madoff:

True, but if we wait until the first of the year for the legislation to pass it will take up more time. If we pass legislation now, we would still have to wait a minimum of 10 months from now and we can't wait; we've got to replace not only the garbage trucks . . .

The Chair:

I think you have to take note of what Mr. Robinson said. It is an immediate problem and what happens between now and then . . .

Michelle Madoff:

I would like to address Mr. Coyne. Why don't you go out and alleviate the problem? What we are saying here is that the fleet is in terrible shape and they are just not able to function anymore and we don't want to wait until the first of the year or a minimum of 10 months from now. That by encouraging Mr.

Yatch and supporting the Mayor's concept to come in right now as soon as possible with the concept of going out in bond issue to solve the problems now. If you want to have a resolution saying Mr. Yatch is going out and solve the garbage, I will support you, but that is not the reason the refuse trucks are breaking down—because of all of the garbage. It is because they are old and can't function anymore.

Mr. Robinson:

As you know, two-thirds of our vehicles are emergency vehicles and I don't think we ought to confuse emergency vehicles with refuse vehicles by changing the whole fleet because we can't pick up the garbage now.

Michelle Madoff:

If you want to have it re-worded orally by saying "going out to bond issue", but we can't wait a minimum of 10 months.

Mr. Givens:

Mr. President, I have to go back to last year's budget when the PaPitt Program and the fact that there were a lot of problems. The people that sell this equipment indicated to the Mayor that it could be done formally without taking too much of the problem and spending it. I monitored that program and in getting results from the Administration and apparently those results were misleading because it was indicated to me at that time that the vehicles could maintain themselves under the heavy PaPitt load that they were picking up. It is apparent now that that has faltered and now half of our fleet we are having problems with.

As Councilman Robinson pointed out my barge hasn't been picked up for five weeks and I am not the only one. Apparently it has been building up week after week and I have called to ask for a special pick-up with no success. The fact remains, Mr. President, and rather than going out as indicated in the Local 609 letter on the bond issue. Generally we don't go out on the bond issue to buy vehicles—it is out of the operating money. At this stage of the Administration, to run half the fleet and in trying to pick up PaPitt again, one thing should be brought out—PaPitt pickup should be stopped

immediately by at least the garbage trucks and should only be done by open-bodied trucks.

Secondly, those trucks are sometimes working 16 hours a day when a normal day runs between 9 and 10 hours and in the hot summer months the hydraulic system breaks down because of the extra energy that is needed when they are used day in and day out.

My general feeling is that the system will not hold up and here we are in the middle of the heat in the summer and half of the garbage trucks are broken down.

The Chair:

Mr. Givens, there was a meeting last Thursday and all of the things that you have mentioned now were brought out. Mr. Coyne made a spot check in the area of the garage about two or three days before that. The Director and Mr. Hairston both admitted right then that 50 brand new trucks were in the garage for repairs and they have at least 50 to 60 in the garage everyday and they just can't do the job.

Mr. Givens:

We need to rent trucks right now.

The Chair:

If the money is available to rent them we will but I don't think there is.

Mr. Coyne:

I think Councilman Givens is not recognizing the fact that 50 to 60 trucks in the garage is not as a direct result of those garbage trucks. It is a matter of course, of being in the garage pre-dated before the inception of the current PaPitt Program.

Over a year ago that was the norm that there would be 50 trucks in there, so the blame is solely on the new type of PaPitt Program that is being implemented in the city which is erroneous.

Mr. Givens:

Do they say anything that there were not

50 trucks?

Mr. Coyne:

What I am saying is that in conversation with the Mayor a year ago, the number of trucks in the garage remain at 50 and the fact that it is continuing with the implementation of the new PaPitt Program. You can blame it solely on the new PaPitt Program.

Not only that, we are in the second phase of the current type of the PaPitt Program where the collection began on the North Side. In other words, they have been through the North Side once before and there is less bulk items being turned out by the people when they come around the second time. People got rid of the bulk items in the first pickup and the question is arising as to when the third pickup is going to be.

I contend that there is going to be a minimal amount of bulk items when you get to the second and third pickup through the whole city, and if you want to talk about having to continue the PaPitt Program, it ought to be remembered that Council didn't remove all of the funding from the budget in 1979 that was requested by the Administration. There was \$330,000.00 appropriated for drop boxed and it was an integral part of the PaPitt Program that could have been implemented. There are three foremen and one supervisor now that was included in last year's budget. We are turning back close to \$1 million in CETA funding to the federal government, but you have to remember that the decision to go to the PaPitt Program was a decision made by the Administration and not this Council.

Mr. Givens:

I agree and because of that and because of the Loc 609 saying that there is heavy use on those vehicles--it is compounding the problem.

Mr. Coyne:

I am saying to you that the broken down vehicles pre-dates the inception of the program. In a conversation with the Mayor last year, there were 50 refuse trucks in the garage because they weren't properly maintained.

Mr. Givens:

I agree with that and was very outspoken with the type of vehicles that were being maintained. Since I have been on this Council, I can also say that I think the Department of Supplies, Garage, has taken many steps to improve the relationship but those improvements have not been made. If it weren't for the improvements, there wouldn't be 50 or 60 in the garage right now--it would be more like 90 to 100.

Mr. Stone:

Mr. President if I may, I have listened to this exchange back and forth and while I tend to believe that we have the tools or equipment necessary, I am just a little fearful that we are being forced to enter into "panic buying" and I am wondering if that is going to be the answer for the City of Pittsburgh, if we are talking about a piece of financial interest of all citizenry.

I'm beginning to wonder--and if you can recall when any director of supplies indicated to us that they weren't on systematic purchase. Every so often they would turn over the vehicles and yet here we are told our vehicles are old. My answer is why are they older than they should be? And if I am told that the vehicles are falling apart because of the way they were handled, why didn't we stop using them? I know last year we were told that there were other problems about the vehicles and we found out in August and September that Mr. Wykoff didn't have enough money to get the vehicles out of the garage, so they were down the garage for that month. If you weren't watching down there for the repairs to be completed, you had to watch if the money was going to be mis-managed. But, I have another problem that came out of last Thursday's meeting. From the information that I presently have received, our emergency super-ambulance vehicles will be ending their ability to operate by November of this year. A request was made for new changes on them and that has not been met. As a result, they are going to be down this year. Super-ambulance Service--that's why I'd like to have Mr. Yatch and Glenn Cannon on this matter.

I would like to caution us here. Just because we get into a problem, it is not purely the PaPitt Program that caused these

problems They have been perpetually for over six years, some vehicles more than others and it should be looked into. I am fearful of this because at one point--and I might add--it was represented to us that these vehicles could do the job they are now doing and now we are told maybe the prior director didn't put in the proper specifications that were necessary. I know we need the vehicles today but before we get stuck in a bind, we better find out what we need, when we need it, and how we are going to manage it once it goes into the system and without lip service as we have gotten in the past.

Michelle Madoff:

I repeat, I would like to respond to Councilman Givens. The truck that you refer to--there is litigation that is taking place and it seems that the warrantly didn't run out, so that answers part of the question.

While I agree with Mr. Robinson, I think we have to do something about getting rid of the garbage and one suggestion would be to go out and get a subcontractor. That maybe a possibility. Or leasing trucks, another possibility. Whether Mr. Wykoff did his job or didn't or whether it was a misrepresentation of Council at budget time, the vehicles are old and in need of replacement. Mr. Yatch has not be able to institute a training program because of being bogged down with repairs in the garage.

I have been reading papers in other cities, like Philadelphia for instance, where they replace their vehicles every two years because it is cheaper than returning them to the garage for repairs and the city does go out on bond and replace the vehicles on a rotating basis.

Mr. Stone:

Michelle, let me take you back when the members of this Council were acting about a year or two ago when we were begging Mr. Wykoff to get information to us which we never got. And you in your position, who felt that Council was going heavy with him and unfortunately defended him, Council didn't move on it.

Michelle Madoff:

I would like to respond. Whether Mr.

Wykoff did or did not, my personal opinion is that he suffered unnecessary abuse and the public put him in a position where he had to look for a job for six months and as a result, couldn't address the problems in his own department. I don't think anybody has a right to talk to anybody that way and you sir, didn't talk to him in a gentlemanly manner and if I remember correctly you weren't too happy when Mr. Yatch was up for consideration.

Mr. Stone:

Your problem is you still don't understand.

The Chair:

Mr. Yatch from Supplies, Mr. Glenn Cannon should be in to answer some questions.

Michelle Madoff:

Do we need a resolution to tell us how to do it?

Mr. Stone:

I don't see how. Where Mr. Coyne has indicated here, and if you are asking him to come up with a plan--of which there are no objections to but what you are supporting denies everything that Council has.

Mr. Coyne:

I would suggest that we hold up the resolution until after we have heard from Director Yatch on Wednesday.

Mr. Stone:

I second the motion.

Which motion prevailed.

Michelle Madoff:

I think that is a very responsible procedure.

I would like to mention that twice we voted on to excuse the absent members and twice we had a hearing on this and most of the members weren't there when Mr. Yatch

detailed a report and some don't even bother to attend the meetings.

Mr. Stone:

Some people are there and still don't understand.

Michelle Madoff:

I would be willing to withdraw and have Mr. Yatch come up.

Mr. Robinson:

Mr. President, I'd like to comment. As the Chairman of the Committee on Supplies--for some time this committee, which is a new committee of Council, has attempted to wrestle with the problem relative to our equipment. The department has had two directors and unfortunately the budget that we are presently operating on was partially put together by the previous director, Dave Wykoff. As a Member of Council who had difficulty in understanding this at a time when Mr. Wykoff was doing this and trying to share that with Members of Council.

Director Yatch came up at a period of time during turmoil and disorganization within the department and encountered a number of problems that has prevented him from operating the department properly as director. I have been candid with him about the difficulties with the previous director and can appreciate the fact that he is working in a strange situation.

When he was first considered for the director position of that department I informed him that there were problems and difficulties that I thought he should be aware of--one specifically as the manner in which we purchased equipment. At a Wednesday session, I shared my reservations about the City of Pittsburgh standardizing on a piece of

refuse equipment, which has been a source of many of our problems. Director Wykoff had then told me that it was in the best interest of the city to standardize the equipment. Since then we have had a history of problems of equipment breaking down, so this problem goes back far beyond some of the Council Members who weren't present on this Council and of the ones that are here for a long period of time. This is why I suggested that we separate the issues because some of it belongs to Director Wykoff and some of it belongs to Director Yatch.

Michelle Madoff:

May I suggest that at the next hearing most of the Council Members should be sure to attend to we don't do it a third time.

If I might add--since you did raise the issue Mr. Stone, if my memory serves me correctly, you voted against one of the best department heads we ever had!

Mr. Robinson moved

that Mr. Lally be excused for absence from this meeting.

Mr. Bulls seconded the motion.

Which motion prevailed.

Mr. Robinson moved

that the Minutes of Council of Monday, July 16, 1979, be approved.

Mr. Stone seconded the motion.

Which motion prevailed.

And on a motion of Mr. Robinson,

Council adjourned

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, July 30, 1979

No. 32

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE..... President
MICHAEL A. PERRY..... City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, July 30, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3610 Resolution Repealing Resolution No. 347, effective April 19, 1979, entitled "Authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in

connection with the reconstruction of the Herron Avenue Bridge, Phase I-Demolition, without previous authority of law; and providing for the payment thereof".

Also

No. 3611 Resolution transferring the sum of \$10,000.00 from Code Account No. 10, Accounts Payable, Prior Years to Code Account No. 42, Contingent Fund.

Which were read and referred to the Committee on Finance.

Also

No. 3612 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Design of Mc Ardle Roadway (PW 79-13); and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 3613 Resolution providing for a Contract or Contracts for East Liberty Study Implementation (PW 79-22); and providing for the payment of costs thereof.

Also

No. 3614 Resolution providing for a contract or contracts for the Bloomfield Bridge Demolition (PW 79-20); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No 3615 Resolution providing for a Contract or Contracts for the Rehabilitation of the Larimer Avenue Bridge (PW 79-12); and providing for the payment of the cost thereof

Also

No 3616 Resolution providing for the purchase, in lieu of condemnation, of an easement for public sewer purposes across certain property situated on the north-west corner of South Main and Cross Street in the Nineteenth Ward of the City of Pittsburgh; providing for the payment of the cost thereof; and repealing Ordinance No. 15 of 1974

Also

No 3617 Resolution granting unto Joseph Horne Company, Penn Avenue and Stanwix Street, the privilege and license to install, maintain and use, at its own cost and expense, two (2) steel posts in the sidewalk area of Stanwix Street to support a canopy for the entrance to the proposed Josephine's Restaurant.

Also

No. 3618 Resolution amending and Supplementing Section 2 and Section , of Ordinance No. 335, approved October 3, 1922 entitled "An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh.

Also

No. 3619 Communication from John E. Ruff, Director, Department of Public Works, requesting interim approval of payment of \$414.50 to R & S Equipment Company for repair of air tool at Construction Division Office in 1978.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3620 Resolution approving a form of contract or contracts for Disposition of

Land by and between the Urban Redevelopment Authority of Pittsburgh and Cornelius A. Wheeler for the sale of Parcel 109 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3621 Resolution approving a form of contract or contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Vincent Sisco for the sale of Parcel 121 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 3622 Resolution approving a form of contract or contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Port Authority of Allegheny County for the sale of Parcels B-2 and B-22, in the Seventh Ward of the City of Pittsburgh in Redevelopment Area No. 10.

Also

No. 3623 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gregory Hankins for the sale of Parcel 117 in the Thirtieth Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 3624 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 7-B, Lot Nos. 235 and 237 and Block 22-P, Lot No. 273.

Also

No. 3625 Resolution providing for an Agreement or Agreements with the Young Women's Christian Association of Greater Pittsburgh and the Young Men's Christian

Association of Pittsburgh, for space rentals for Citizens Participation meetings.

Also

No. 3626 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Urban Development Action Grant for the Stanton Heights Shopping Center.

Also

No. 3627 Resolution approving the Areawide Housing Opportunity Plan; providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Areawide Housing Opportunity Plan Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds.

Which were severally read and referred to the Committee on Planning.

Mr. Lally presented

No. 3628 Resolution providing for the issuance of a warrant in favor of Federal Pump Corporation, in the amount of \$2,899.00 for duplex sewage pump unit needed for emergency repair at the Public Safety Building, without previous authority of law, and providing for the payment thereof.

Also

No. 3629 Resolution providing for the issuance of a warrant in favor of Honerywell, Inc., Commercial Services, in the amount of \$925.32, for emergency repairs to the Master Fire Alarm System at Allegheny Regional Branch, Carnegie Library and Pittsburgh Public Theater Building, without previous authority of law, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 3630 Resolution amending Resolution No. 241 of 1978, as amended by Resolution No. 828 of 1978, by providing an additional \$20,000.00 for tenant work at the Pheonix-Hill Shopping Center

Also

No. 3631 Resolution providing for the sale of the City of Pittsburgh to the Pennsylvania Department of Transportation of certain property at the intersection of Saw Mill Run Boulevard and Bausman Street, 18th Ward, designated as Part of Block 34-D, Lot 20, for one dollar (\$1.00).

Also

No. 3632 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$19,000.00 to Carl J. Bonidie, Inc., for extra work in connection with Weatherization program at City-County Building. Funds are available in Capital Project LB 78-09, City-County Building Weatherization Program, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3633 Resolution providing for a Supplemental Agreement with the Pitometer Associates, Inc., amending the Agreement between the parties dated May 18, 1979, by providing for a Pitometer Water Waste Survey.

Also

No. 3634 Communication from John C. Miller, Director, Department of Water, requesting permission for two representatives from the Water Department to attend U.S. Environmental Protection Agency Training Course for Atomic Absorption and Gas Chromatography, Cincinnati, Ohio, August 27-30, 1979, at cost not to exceed \$1,100.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3635 Resolution amending Resolution No. 626, approved July 9, 1979, effective July 11, 1979, entitled: "Authorizing the issuance and payment of a Semi-Final Estimate to Joseph B. Fay Company, in conjunction with the Construction of Steam Line between Phipps Conservatory & Bellefield Boiler Plant - Controller's Contract Number 23150-F, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent."

Which was read and referred to the Committee on Finance.

Also

No. 3636 Resolution providing for an Agreement with Ozanam Cultural Center for professional services for a recreational, cultural, and educational program for residents of the City of Pittsburgh and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3637 An Ordinance providing for a plan or process to involve minorities, women and veterans in major developments of three (3) or more acres, or Two (2) Million Dollars or more in development and/or construction costs of lands or buildings under the jurisdiction of the Urban Redevelopment Authority of Pittsburgh and City of Pittsburgh, and a plan or process to retain businesses in the affected area.

Which was read and referred to the Committee on Planning, Housing and Development.

Also

No. 3638 Resolution providing for the letting of a contract or contracts for the furnishing, delivery, and refurbishing of Emergency Medical Vehicles, for the Department of Supplies, and for the payment

thereof.

Which was read and referred to the Committee on Supplies.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 3639 Resolution transferring the sum of Fifty Thousand (\$50,000.00) Dollars from Code Account No. 1174, Rental of Equipment, Department of Environmental Services, to Department of Supplies, various code accounts, and the sum of Two Hundred Forty-Eight Thousand (\$248,000.00) Dollars from Code Account No. 1154, Motorized Equipment, Department of Supplies to Department of Supplies, various code accounts as listed below.

Which was read and referred to the Committee on Finance.

Also

No. 3640 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Fifteen (15) Non Portable Manual Typewriters for the Department of Police, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3641 Resolution providing for the issuance of a warrant in favor of Equitable Gas Company in the amount of \$3,000.00 in payment for space heaters furnished for the benefit of the City in connection with operations of the Housing Clinic; and providing for the payment thereof.

Also

No. 3642 Resolution authorizing the

issuance of a warrant in favor of Golden Rule in the amount of \$654.00 in payment for work performed at the City Controller's Office, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 3643 Resolution authorizing the issuance of a warrant in favor of the General Fund in the amount of \$74.58 as reimbursement for monies inadvertently deposited into the Senior Citizen Program Trust Fund (SCPTF). This payment to be chargeable to and payable from the SCPTF, Pittsburgh National Bank STF #2.

Also

No. 3644 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1979 Police Officer Entrance Examination on August 30, 1979 and providing for payments thereof.

Also

No. 3645 Resolution providing for the issuance of a warrant in favor of Reed and Witting Company in the amount of \$600.50 in payment for the printing of Police Officer recruiting posters rendered in connection with the Department of Personnel and Civil Service Commission's Pittsburgh Police Officer recruiting campaign, furnished for the benefit of the City without previous authority of law.

Also

No. 3646 Resolution transferring \$8,000.00 from Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer to Code Account No. 40, Interest On Tax Refunds, Department of City Treasurer.

Also

No. 3647 Resolution transferring the sum of \$3,000.00 from the Department of Per-

sonnel and Civil Service Commission Code Account No. 1100, Miscellaneous Services to Department of Personnel and Civil Service Commission Code Account No. 1101, Supplies.

Also

No. 3648 Resolution providing for a Supplemental Agreement or Agreements with various hospitals and/or physicians to increase the authorized amount from \$50,000.00 to \$69,000.00 for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion.

Also

No. 3649 Resolution providing for a Supplemental Agreement with Psychological Service of Pittsburgh to increase the authorized amount from \$5,000.00 to \$8,000.00 for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations

Also

No. 3650 Resolution providing for the lease of the Civic Arena from the Public Auditorium Authority of Pittsburgh and Allegheny County from 2:00 P.M. to 11:00 P.M., August 30, 1979, at a rental of \$2,000.00 for the administration of the 1979 Police Officer Entrance Examination and for other public purposes, upon certain terms and conditions; and providing for the payment of the cost thereof.

Also

No. 3651 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America Equal Employment Opportunity Commission for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract or Contracts and for the filing of requisitions and other data; approving the

EEOC-706 Project; providing for required assurances; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also

No. 3652 Communication from David L. Donahoe, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of June 29, 1979.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff, Mr. Coyne and Mr. DePasquale presented

Bill No. 3609

A Resolution entitled, "Resolution supporting the Administration in its desire to initiate policy to replace disabled City vehicles at an accelerated rate and requesting the Director of the Department of Supplies to recommend to this Council a suitable means to obtain the necessary funds to institute a new procedure for replacement of vehicles, as necessary, in the entire City fleet.

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. McCray:

This bill was introduced last week, Councilman Coyne made a motion to hold this bill up for one week until such time that you could discuss with the Department of Supplies, Ken Fields and another gentleman, the contents of this resolution and then we were going to bring it back and deal with it one way or another.

Michelle Madoff:

Mr. President, at the Mayor's meeting

this morning it was reinforced again that we really have some terrible problems with the vehicles particularly in the Refuse Department being laid up. I know Mr. Coyne mentioned that this morning as he got here at nine o'clock people were calling him on the phone -- I have photographs of people's garbage that hasn't been picked up. So, I went to give it to Mary Beth Salley, she had a dozen more, it appears that the subject matter discussed at the Post Agenda the other day, zeroing in on particularly the refuse trucks, of which we have something like, I think the other day there were 67 refuse trucks and 10 packers -- 77 trucks laid up. They're going to find some money to put them back on the road and it appears that Mr. Yatch is going to come before this group with a proposal which I guess we can discuss at that time, but essentially it is something like a \$5.6 Million proposal that will go out on bid September 1st when the new trucks are available and the pricing and somehow figure on the dollars next year.

This resolution only addresses itself very broadly to the fact that we want something done and I think that is all it said -- do something, come back to us with some suggestion, that's all the resolution said and that was what we three agreed on. We were very explicit that we weren't telling them what to do or how to do it, but just that we wanted something done.

Mr. Coyne:

Mr. President, I think the proper thing would be to table this resolution now that we've heard from Director Yatch and he is going to make recommendations on how to --

Michelle Madoff:

I would like to throw a thought out to you, Councilman, that perhaps we vote on it so it is a matter of record that we have said, yes, we want something done in Council, not that it's coming just from the other side.

Mr. Robinson:

Is that a motion?

Michelle Madoff:

It was a resolution that we have --

Mr. Robinson:

Councilman Coyne -- is that your motion to table it?

Mr. Coyne:

Yes.

Mr. Robinson seconded the motion.

Mr. Coyne:

Well, you know, if we want to have some disposition of it, we either have to table it or vote it up or down.

The Chair:

I don't see any harm in voting it up or down.

Mr. Coyne:

I think in light of the fact that Director Yatch has been in, he has explained what the plans are for the rest of the year and that they are going to take steps to try and remedy the situation, why, it would be best to table it and let him develop some plan -- come to us with some type of resolution and we would vote favorably on that.

Michelle Madoff:

I don't want to take them on in an adversary position, I think it was a very cooperative effort that brought that about as a matter of fact and I commented on it this morning, but I think for posterity and history, when we look back three years, and I'm new here, but I remember hearing you say frequently -- "Five years ago we talked about this," "Three years ago we talked about this", I think it should be a matter of record and that's the only reason I think we ought to vote on it. That's why you and Councilman DePasquale and I said let's go out on this broad resolution, at least Council is on record as saying, "Yes, this is a serious problem, let's do something about it."

Mr. Coyne:

All right, it is a positive recommendation that we clear up the problems within the fleet and I'll withdraw my motion to table the

resolution.

Mr. Robinson:

I withdraw my second.

Mr. Stone:

Mr. President, I will vote aye on the bill and would like to add these comments, if I may -- I realize the seriousness of the problem, I realize the problem didn't happen yesterday, I realize the problem is not purely because of Pa Pitt which has been heretofore, made in a generalization going from a specific to a wrongful deduction in generalization. I think that there have been many mistakes made in the past and that was brought out. Mr. Yatch has indicated they inherited a bad problem, he indicated that over the last 10 years they had not paid their share, namely some 10% that should have been paid and I think if we take stock and take it in that light, and then I think then, we should proceed. It has come heretofore that we ate buying vehicles in which I have cautioned that we should not go into. Panic buying -- panic buying to me means that you don't just buy for the sake of buying, I think you buy for those things that meet your needs and you order those things that meet your needs and you make sure that you get something that can carry out your needs, which heretofore, obviously, has not been done.

We hear time and time from the Directors that they should have bought 12 of these instead of 12 of those, well, I think that two years later when that vehicle has a useful life -- some four to five years later is obviously not the time to do it.

In that light, with those reservations, I will approve of the resolution.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3653 Report of the Committee on Finance for July 25, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3494

A Resolution entitled, "Resolution repealing Resolution No. 1483, approved December 22, 1978, effective December 28, 1978, entitled, "Resolution transferring the sum of \$45,000.00 from Capital Project No. LB 78-09, Department of Lands and Buildings to Capital Project No. LB 78-07, Department of Lands and Buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3516

A Resolution entitled, "Resolution transferring the total sum of \$3,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police to the following accounts: Code Account No. 1448, Local Auto Milage Reimbursement - \$1,000, Code Account No. 1451, Repairs - \$2,000."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

I vote no on this bill and I would like to have my remarks from the meeting of Wednesday July 25, 1979 incorporated into the minutes of this meeting.

MR. GIVENS REMARKS FROM THE MEETING OF WEDNESDAY, JULY 25, 1979:

Mr. Givens:

On Bill No. 3516, for the record, the transfer of wages from the City of Pittsburgh Park Police; we need our park police, we have very much difficulty in our parks especially the ones in the City.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes 8

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3517

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies and Materials within the Department of Fire."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3534

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

Casciato Brothers in the amount of \$1,778.00 for extra work in connection with the construction of No. 2 Police Station, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3535

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc., in the amount of \$20,231.15 for extra work in connection with the weatherization Program, City-County Building, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3544

A Resolution entitled, "Resolution providing for the issuance of a warrant to Helen Czachorowski in the amount of \$2,691.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 3545

A Resolution entitled, "Resolution providing for the issuance of a warrant to Leonard E. Monti, Police Office, in the amount of \$4,000.00 in full settlement of lawsuit for lost wages."

Which was read.

Also,

Bill No. 3555

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Noralco Corporation, in the amount of Twenty Eight Thousand Seven Hundred Seventy Dollars and Twenty Cents (\$28,770.20), in payment for Extra Work furnished for the benefit of the City in connection with the

reconstruction of the Herron Avenue Bridge, Phase I - Demolition, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3557

A Resolution entitled, "Resolution providing for a transfer of \$10,000.00 from the 1979 Community Development Block Grant Trust Fund, Department of Housing, Salaries, CDHDS (HD-79-08) to Code Account North Side Urban Development Action Grant Program (NSUDAGP), Salaries, Temporary Employees contained in Resolution No. 121 of 1979."

Which was read.

Also,

Bill No. 3558

A Resolution entitled, "Resolution providing for periodic transfer of amounts not to exceed the aggregate sum of One-Hundred Thousand Dollars (\$100,000.00), from the 1978 Community Development Block Grant Program Trust Fund (HD-78-02), Weatherizing Homes In Pittsburgh, Salaries,

to the CETA T6, Trust Fund, Federal Funds, to pay for wages and fringe benefits to CETA enrollees in the WHIP Program."

Which was read.

Also,

Bill No. 3588

A Resolution entitled, "Resolution providing for the lease of certain property at 4th floor, Room 405-413 of the Allegheny Building, 2nd Ward from August 15, 1979, for a term of 37.5 months at a rental of \$1,366.66 per month, to house the administration of the City's Employment Opportunities Pilot Program (EOPP), upon certain terms and conditions, and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 3589

A Resolution entitled, "Resolution providing for the lease of certain property at Allegheny Building, 8th Floor, Rooms 801 through 815, 2nd Ward, from September 1, 1979 for a term of thirty-seven (37) months at a rental of \$3,466.66 per month, to house the operations of the City's Employment Opportunities Pilot Program (EOPP), upon certain terms and conditions, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3590

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3591

A Resolution entitled, "Resolution amending a portion of Resolution No. 462, approved May 22, 1979, entitled, 'Providing for an Agreement or Agreements with ACTION-Housing Inc., Arthritis Foundation, Better Business Bureau, Buhl Planetarium, Carnegie Museum, Community Action Pittsburgh, Inc., Council on Three Rivers American Indian Center, Inc., Elder-Ado, Golden Triangle Association, Greater Pittsburgh Campfire Girls, Home for Crippled Children, Pittsburgh Jewish Community Center, Jewish Family and Children's Service, Job Advisory Service, North Side Civic Development Council, Inc., Pittsburgh Dance Council, Inc., Pittsburgh Opportunities Industrialization Center, Pittsburgh Plan for Art, Riverview Apartments, Theater Express, United Jewish Federation of Greater Pittsburgh, Manchester Citizens Corporation, Young Men's Christian Association and Youth City of Pittsburgh, Inc., for the implementation of Comprehensive Employment and Training Act, and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 3592

A Resolution entitled, "Resolution providing for an Agreement or Agreements with local colleges, universities and other accredited educational institutions, to provide educational training and educational services together with other appropriate and related educational materials and educational services for City of Pittsburgh CETA Career Advancement Voucher Demonstration Project participants and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3593

A Resolution entitled, "Resolution amending Resolution No. 1159 of 1978, entitled, 'Providing for an Agreement with the County of Allegheny for the transfer of the City's 1978 Community Development funds as the City's share of the funds that will be expended by Elder-Ado, Inc., pursuant to a contract with the County for renovation of a piece of property known as the "Beckman Building", by increasing the amount from \$75,000.00 to \$200,000.00, the additional \$125,000.00 chargeable to and payable from 1979 Community Development Block Grant Trust Fund Program, Unspecified Local Options."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President, on Bill No. 3593, I wonder if we could put that back into the Committee on Planning, Housing and Development? My reason for this is, back in 1978, when we proposed the original bill of \$75,000, Bill No. 1746 of 1978, it was in that particular committee and the only thing that disturbed me was the fact that there were some matching monies that were to come from the County on this for the Elder-Ado Senior Citizens Center. We had committed \$75,000 in 1978, we are now committing \$200,000. My question, and I didn't get an answer from our Planning Commission, was, was there any contact made with the County Planning Department to see,

in fact, were they going to make matching funds along with the City of Pittsburgh on this and the fact that the particular facility is located in Mt. Oliver and that the County will run this particular facility.

So, if it could be, Mr. Chairman, I would like to have this bill recommitted and be discussed this Wednesday with our Planning Department and possibly we'll get someone over here from the County Planning Department.

Mr. Stone:

This has come through Council, its an amendment to the original bill, that's all. But, what had happened was, the original amount, which is \$75,000 was underestimated by virtue of the various early engineers they had -- they've got competent engineering now and in this analysis as it is right now, the amount of money coming from the City of Pittsburgh is \$200,000, the Allegheny County is coming up with a matching portion and Mr. Herbert Chase who is in charge of the Elder-Ado group is raising some \$60,000 or \$70,000 from church and other non-profit related organizations. This unit takes care of somewhere between 3,000 to 4,000 senior citizens. Our Parks Department indicates that this is one of the best run operations, they worked through McKinley Park, they work in this particular building, which is central to them to take care of Carrick, take care of both sides of the hill at Brownsville Road, take care of some of the Arlington, Beltzhoover area. It has now something that gives them the greatest flexibility they have ever had--which is, they can all get a bus and right there. Its the major stop for all contacts through Carrick, through Knoxville, through the Bausmann area, through the Beltzhoover area, through the Allentown area. This is a major thing and I don't think we should hold back on this. What has been their problem is a delay factor, and that \$75,000 originally becomes a total of nothing at this time because its delayed. They've got a building right now which they have gotten dirt cheap, its the former Beckman Building there, I went and got a tour of that particular building itself -- its the right kind of building, its in the right kind of location and it would be just not proper to hold this money back, I think we should go ahead.

The Chair:

Are you saying, Mr. Stone, if we transfer to Mr. Givens' committee we are going to have to hold up on this?

Mr. Givens:

Well, it rightfully belongs in that committee, one, Mr. President. Number two, did I hear from Councilman Stone that the County is in fact giving a like amount of \$200,000?

Mr. Stone:

No, they're coming up with just short of that I think. They're trying to work on the County and if they don't, \$60,000 is what they're getting from these church related organizations. There's roughly \$3,000 to \$4,000. The reason the amendment was put this way is to tie back in with the County on the match. I talked to Rege Young on this thing and that's why it was decided to do it this way.

Mr. Givens:

I talked to Rege Young too and we have no assurance that the County of Allegheny is going to put any money up. They might be working on it, I agree with that --

Mr. Stone:

No, the original bill calls for a match, Dick.

Mr. Givens:

It calls for a match.

Mr. Stone:

Yes, that's why it was done this way. If we separate it it wouldn't carry the match. This way be increasing the figure and counting for the match it does dovetail the County in with the City of Pittsburgh.

The Chair:

I think our only concern, if I may, is that we put this bill into the right committee where it belongs legally. If you're saying we can't do it, then we can't do it.

Mr. Stone:

No, there's nothing wrong with what's done, this is done traditionally. All we are

dealing with is money at this point.

The Chair:

I think Mr. Givens feels that as Chairman of that Committee it belongs there, but other than that I don't see any problem with it in Finance.

Mr. Stone:

This is still under Housing, that's no problem, but its just involving an increase in money.

Mr. Givens:

I see nothing in this bill that ties the County into putting their \$200,000 up before we put our \$200,000 up.

Mr. Stone:

Dick, the original bill calls for a total match.

Mr. Givens:

The original bill was a matching grant, that's right, but which bother the County and the City put up \$75,000, I am appreciative of the fact that what has happened out there, I talked to Mr. Chase myself on this particular thing that the original appraisal was not right when they finally got into construction, that this magnified itself by about three-fold.

My concern is in the present legislation, there is nothing that says that the County must come up with like matching funds that I can see. That is my concern - before the City of Pittsburgh puts \$200,000 up for a function that the County controls and runs and operates, will the County drop this after - for example: if we would put the \$200,000 in, would the County then finance the ongoing?

Mr. Stone:

The original bill in the original sum called for a match.

Mr. Givens:

I agree, that is not in this particular bill, that's why I asked to put it back into committee.

Mr. Stone:

Okay wait Dick, let me finish. We have increased the sum, which increases the contribution. They have to raise \$200,000, they are getting an additional grant from the County and they are getting the additional \$60,000 from church and related units to make the total match that they need which is double the sum. To hold back when a unit is taking care of between 3,000 and 4,000 elderly does not make sense. They need that thing immediately and any more delay s not helping it and pretty soon they won't even need anything from you because the unit won't be there. I talked to Scalzo on this thing, he indicated Elder-Ado is probably one of the best suppliers of senior citizens services in the City of Pittsburgh. I attended a picnic there two weeks ago in which there were over 250 people who were occupied for some 10 hours before and after I was there.

Mr. Givens:

Councilman Stone, I have to agree with you, I indicated I approve that which you have just mentioned now and previously about Elder-Ado - one of the finest in the country probably. What I'm trying to do is make sure that the County provides their fair share because the County will in fact run this particular senior citizen center. If the County does not want to come up with their \$200,000, then I don't feel that the City then should spend -

The Chair:

Obviously if they don't come up with it the program isn't going to roll.

Mr. Stone:

No, Dick, leave off the match for a minute-would it be worth us to put money into a project that's going to take care of our senior citizens as this one has?

Mr. Givens:

It most certainly would if we control that particular project for years to come - we do not control it, the County controls it. That's what I'm saying. I want to see good faith on the part of the County.

Mr. Stone:

If it were nothing else than us contributing to an organization that is taking care of our elderly as this one obviously is, then it seems to me that's even cheaper, we don't pick up the maintenance costs, we don't pick up any other kind of obligations. That's even without a match. But, this has the additional match to it. I don't think we should tie this one up into a technical problem. This one obviously has to go, it should go.

Mr. Givens:

Then why, Mr. President, back in 1978 when his bill came before us, did we --

The Chair:

Excuse me, Mr. Givens, we'll get back to you, Michelle Madoff has been trying to get the floor.

Michelle Madoff:

Mr. President, the building is in Mt. Oliver, it is in the City of Pittsburgh, I have seen the program, I have been out there, it is really a spectacular program. Mr. Chase and the senior citizens there are fiercely independent, they are trying to raise their own money but the situation being what it is and the escalating cost, as Mr. Stone pointed out, of waiting, has just driven the costs up. What would be the worst thing that could happen? Supposing the County at some point did drop the program -- wouldn't it be incumbent on us as Council people to pick up that program which is so worthwhile and as long as the County is clearing it its gravy for us and for God's sake, let's go on with what's right for senior citizens.

The Chair:

Well, I think nobody has any problem with the problem with the program perse, Mr. Givens said that it belongs in his committee.

Mr. Lally:

Mr. President, I can remember other bills coming before Council here where the City had to contribute so much and the Coun-

ty so much and before we did that we had a letter of intent from the County saying that they were going to give you \$50,000 -- namely the Convention Center. So what's the reason why we can't wait for a letter?

The Chair:

I don't think there is any problem there, Jim, Mr. Stone said it was raised from \$75,000 to \$200,000 and the County no doubt has been notified and I imagine they'll come up with the other \$125,000, as Mrs. Madoff said I don't think there is problem, somehow or another we'll get the money.

Michelle Madoff:

Mr. Givens, when you and I get a little older and we need a place to go we're going to go there, so let's vote for it.

Mr. Givens:

My concern is, I am fighting for the Elder-Ado people, I want to see that they get \$400,000, just not the \$200,000.

Michelle Madoff:

But by holding it up you're only --

Mr. Givens:

We're not holding anybody up.

Michelle Madoff:

If you hold it up and wait for the County to come through they may never come through.

The Chair:

If you keep this up our hearts are going to be bleeding all over the place--we're all in favor of the program.

Mr. Givens:

Well, can we put an amendment to this fact that predicated upon the -- and I make this amendment predicated upon the County contributing \$200,000.

Michell Madoff:

No.

Mr. Stone:

Dick, the County is not coming up with a total of \$200,000, this is the fifth time I'm saying it now.

Mr. Givens:

What amount are they coming up with?

Michelle Madoff:

We don't know.

Mr. Givens:

That's the point, what amount are they coming up with? We haven't gotten a definitive answer from the County and that's why I'd like to put it in committee so we can get a definitive answer and give Elder-Ado \$400,000 rather than just \$200,000.

Mr. Stone:

This \$200,000 will be matched—will be matched—between the County increase beyond \$75,000 plus a difference of some \$60,000 coming from church and other religious related organizations who feel that this is such a good strong program serving the needs of senior citizens that they are willing to donate to it as well.

Mr. Givens:

Mr. President, I had a motion on the floor to start with to put this back into committee and I seriously would like to point out the fact that when any of us on any particular committee as chairman want a particular bill recommitted for only one week to study the issue and try to get \$200,000 more money, I think that we have to caution ourselves when we do not give the chairman of any particular committee that prerogative.

The Chair:

I'll back that, Mr. Givens has a motion to recommit and move it from the one committee to his committee.

Mr. Lally seconded the motion.

Mr. Coyne:

Mr. President, in deference to the Committee Chairman, I think it would be appropriate to hold it for one week at his request.

The Chair:

Mr. Stone, is there any problem with the bill being held for one week?

Mr. Stone:

I can but tell you that I think its foolish to wait and I will vote against any delay on the bill. I think this is no time to be so concerned as to who or what does something, but rather what the end result is.

The Chair:

We will have a roll call vote on Mr. Givens' motion to recommit the bill.

Is there any further discussion on the motion?

And on the question, "Shall the bill be recommended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Noes:

Michelle Madoff
Mrs. Masloff
Mr. Robinson
Mr. Stone

Mr. DePasquale
(Pres't)

Ayes 4

Noes 5

And a majority of the votes of Council not being in the affirmative the motion was defeated.

The Chair:

The motion to recommit being defeated, is there any further discussion on the bill itself?

Mr. Givens:

I shall abstain on Bill No. 3593, I feel it is the prerogative of the chairman of any committee including my own, that if I have a question on any bill that I should have the right and prerogative to look into these various matters which I was not given the opportunity to. in fact I was on a little trip when this bill was first introduced, I didn't see it until Wednesday.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none
(ONE ABSTAINING - MR. GIVENS)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No 3654 Report of he Committee on Public Works for July 25, 1979 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3522

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection of the fabricated structural steel for the South Aiken Avenue Bridge, and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3580

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article II Communications, Chapter 425, Cable Communications by making various changes thereto."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bull	Mr. Robinson
Mr. Coyne	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes 2

(MR. GIVENS AND MR.
LALLY VOTING NO)

And a majority of the votes of Council being in the affirmative the bill passed finally.

Mr. Givens presented

No. 3655 Report of the Committee on Planning, Housing and Development for July 25, 1979 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3119

And Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192. approved May 10, 1958, as amended, Zoning District Map Sheet No. 7 by changing from "C5-C" Golden Triangle District "A" all that certain property bounded by: the 'A Line extending between Third Avenue and the Boulevard of the Allies located a distance of 200 feet West of the parallel to Wook Street, 1st Ward.' " (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3120

A Resolution entitled, "Resolution approving the Market Square Redevelopment Proposal, dated April, 1979, including the Redevelopment Area Plan, for redevelopment Activities in a portion of Redevelopment Area No. 44, in portions of the First and Second Wards of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3121

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the

Department of City Planning, the Director of the Department of Public Works, the Director of the Department of Water and the Director of the Department of Lands and Buildings, for and on behalf of the City of Pittsburgh to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the redevelopment of the Market Square Redevelopment Project, being a portion of Redevelopment Area No. 44, located in portions of the First and Second Wards of the City of Pittsburgh, providing for the vacation of certain streets and alleys in said area, the construction or rededication of certain streets, the making of and sewers, the conveyance of all the City's right, title and interest in and to said vacated streets to the Urban Redevelopment Authority of Pittsburgh, the dedication and rededication of certain streets, the making of certain payments by the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh, and providing for non-discrimination in the use of public facilities and setting forth the terms of the Agreement."

Which was read.

Also,

Bill No. 3122

A Resolution entitled, "Resolution approving a form of Contract by and between the Urban Redevelopment Authority of Pittsburgh and PPG Industries, Inc., providing for the funding of the project execution costs of the Market Square Redevelopment Proposal for a portion of Redevelopment Area No. 44 and also providing for the sale of Parcels A-1, A-2, B-1, B-2, B-3, C-1, C-2, D, E, F-1, F-2 and G in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3123

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the American National Red Cross for the sale of Parcel H-2

in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44."

Which was read.

Also,

Bill No. 3124

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and R.T. Patterson Company, Inc., for the sale of Parcel H-1 in the First Ward of the City of Pittsburgh in Redevelopment Area No. 44."

Which was read.

Also,

Bill No. 3167

An Ordinance entitled, "An Ordinance providing for the designation of certain districts or structures within the City of Pittsburgh as being of Historic importance, regulating the reconstruction, exterior alteration, restoration, or demolition of individual structures, or structures within districts so designated, and established a system of review, wherein the City through its citizens can protect, maintain and enhance the historic and architectural appearance and heritage of Pittsburgh. The effect of this Ordinance shall be to repeal Ordinance No. 128 of 1971 and Ordinance No. 6 of 1972 and Ordinance No. 35 of 1977."

Which was read.

Also,

Bill No. 3315

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 7 by changing from 'R3' Multiple-Family Residence and 'C3' Commercial Districts to 'RP' Planned Residential Unit Development District all that certain property having 119 feet of frontage on the northerly side of Boggs Avenue west of Wyoming Street being Lots Numbered 9 and 56, Block 4-L in the Allegheny County Block and Lot System, 19th Ward."

Which was read.

Also,

Bill No. 3316

A Resolution entitled, "Resolution approving a Conditional Use under Section 2801-1-A-(33) of the Zoning Ordinance, No. 192, approved May 10, 1958, as amended, to St. Justin's Plaza, Inc., for the construction of a ten story building to house 98 units of Housing for the Elderly on property having 119 feet of frontage on the northerly side of Boggs Avenue west of Wyoming Street being Lots Numbered 9 and 56, Block 4-L in the Allegheny County Block and Lot System, 19th Ward."

Which was read.

Also,

Bill No. 3318

A Resolution entitled, "Resolution approving a Conditional Use under Section 2801-1-A-(22) of the Zoning Ordinance No. 192, approved May 10, 1958, as amended to Donald B. Bierwerth for construction of a two-story 36-unit motel with outside parking facilities for 42 cars in a "C-2" Highway Commercial District on property having 213.91 feet of frontage on the westerly side of Banksville Road bounded by: Banksville Road; Lots Numbered 252, 230, Block 35-E; Lots Numbered 231, 230, Block 35-A in the Allegheny County Block and Lot System, 20th Ward."

Which was read.

Also,

Bill No. 3524

A Resolution entitled, "Resolution amending Section II of Resolution No. 1267 of 1977, which Resolution was previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978, and by Resolution Nos. 252, 308 and 509 of 1979 entitled 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to tran-

sfer \$61,298.73 from PW-78-18 'East Liberty Study Implementation' into a newly created line item CP-78-08' East Liberty Study - Commercial Revitalization Program', and further to decrease line item HD-78-10 'Housing Maintenance Service' from \$150,000 to \$0; and further to increase line item HD-78-08 'Local Share of Improvements in HACP Communities' from \$2,000,000 to \$2,150,000, change title PR-78-27 and HD-78-02."

Which was read.

Also,

Bill No. 3525

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the East Liberty Chamber of Commerce in connection with a Commercial Revitalization Program for the East Liberty Mall area."

Which was read.

Also,

Bill No. 3526

A Resolution entitled, "Resolution amending Resolution No. 1288 of 1978, which Resolution was previously amended by Resolution Nos. 18 and 393 of 1979, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for professional traffic planning and engineering services in connection with improvements in the East Liberty Mall area', reducing the amount allocated from a cost not to exceed \$40,000 to a cost not to exceed \$38,701.27."

Which as read.

Also,

Bill No. 3527

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with Opportunities Industrialization Center, Incorporated of Pittsburgh for services in connection with the Minority Contractor Bonding and Assistance Program, and increasing the amount from \$448,300 to \$542,300."

Which was read.

Also,

Bill No. 3528

A Resolution entitled, "Resolution providing for a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program by deleting two line items; and further reducing the amount in a certain line item."

Which was read.

Also,

Bill No. 3529

A Resolution entitled, "Resolution amending Resolution No. 690, approved June 12, 1978, effective June 27, 1978, providing for a Cooperation Agreement with the Housing Authority of the City of Pittsburgh for Improvements in the Housing Authority of the City of Pittsburgh Communities in Support of Modernization and Rehabilitation by increasing the total cost to \$2,150,000.00."

Which was read.

Also,

Bill No. 3530

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mark S. Forbes for the sale of Parcel 46b in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 3531

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Shirley Kaye Pratt for the sale of Part of Block 9S,

lot 70 in the Third Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3532

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Giant Eagle Markets, Inc., for the sale of Parcel 10A in the Twenty-Eighth Ward of the City of Pittsburgh in Redevelopment Area No. 24." (AS AMENDED IN COMMITTEE).

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

I would just like to have it noted for the record, that PPG did call, I hope and I presume, all the Members of Council, I received a call and again reinforced their letter that Mr. Coyne included in the resolution, the commitment from PPG—while it is not legally binding, he has stated that they plan to live up to that moral commitment and I would hope that we will all live to see the day that they really do it and I applaud them and we'll give them a chance to act in good faith.

I would like my remarks from Wednesday, July 25, 1979 incorporated into the minutes.

MICHELLE MADOFF'S REMARKS FROM THE MEETING OF WEDNESDAY, JULY 25, 1979:

Michelle Madoff:

Before I vote I wish to make a comment. It is not City Council who has delayed action on the Market Square Project as stated in several editorials, but PPG and URA who held up the vote in Council.

PPG and URA had more than a year to circulate the questionnaire (distributed only three weeks ago) to determine the needs and

desires of the Market Square merchants. How can anyone blame Council and make us the scapegoats for the inaptness of PPG and URA.

In truth, PPG and URA have only to put their oral commitments in a legally binding written form for Council to vote immediately in the affirmative.

There isn't a Member of Council or a merchant in Market Square who wouldn't welcome PPG with open arms if everyone were assured that the displaced merchants who have no other alternative will be located in a condominium project within the PPG complex. This is what PPG had specifically stated as being a real possibility.

Furthermore, statements by Mr. Sperring that PPG would be homeless by 1983 are not quite true. Having personally spoken to the agent representing PPG's present landlord, a Mr. Geiger, I believe, I was assured that PPG will not be thrown into the streets in 1983.

Does anyone really believe, given the history of construction in Pittsburgh, that even if Council had voted a month ago for condemnation, that an act of God, i.e., flood, delay of construction materials, or even, heaven forbid, a strike, are not real possibilities? Obviously, PPG must have a contingency agreement that would allow them to remain past 1983 with their present landlord.

Meanwhile, PPG and URA after a year of thrashing about have seen fit to replace their bargaining agent with a Mr. Reggie Wilson. It appears Mr. Wilson who is highly regarded by even the Market Square merchants, may yet pull the mess out of the fire.

Not being an expert in condemnation law I conferred with three top attorneys in this field and it was confirmed that if we vote today for condemnation we have cut the life line for a meaningful negotiation based on law because the law is the law is the law. Condemnation law allows for only a maximum of \$10,000 for loss of business to any displaced merchant. Hopefully PPG will honor its oral commitment and negotiate around the law perhaps making the adequate

adjutment or purchase of land so that the most affected people will be treated fairly.

I look forward to voting yes today so we can get on with welcoming the much desired PPG home office and satellite buildings.

The taxes, jobs and other benefits can only enhance present community, but please, put the blame where it rightfully belongs for any delays, right in PPG and URA's ballpark.

Mr. Givens:

Mr. President, all those bills that pertain to PPG and the fact that I have been intimately involved in these particular proceedings right up to the very end and that I'm glad that things worked out the way they did and working on something for so many months one gets very close to the PPG situation. It's a great thing for the City of Pittsburgh and I'm glad the vote last week was 9 - 0. I would also like by remarks from last Wednesday's meeting incorporated into the minutes.

MR. GIVENS' REMARKS FROM THE MEETING OF WEDNESDAY, JULY 25, 1979:

Mr. Givens:

In the midst of these discussions, we should remember that the Pittsburgh community is beginning a structural and cultural revitalization. With people expected to move back into the city in the decade of the 1980's, we must create a climate of progressive adaptation. We, the lawmakers, must anticipate the social trends that will unfold in the years ahead.

It was this concern coupled with concern for displaced property owners, businesses, and institutions, that motivated council and its subcommittee to deliberate these past two months since the public hearing of May 31. The intensive dialogue between elected officials, citizens and PPG representatives, was necessary to restore some of the confidence and trust in government that President Carter recently observed has been eroded.

Only after a close examination of the

eminent domain law and its application, would I support this project. My fear was the same as everyone's fear: The abuse of power with Council's delieratiion and dialogue, and the display of concern for the relocation of displaced persons and property, I am confident that we will have just and equitable treatment for each citizen.

Again, as lawmakers, we are all aware of the real possibilities of a recession over the next few years. The gross national product has declined 3.3% each month for the last three months. The millions of dollars that this project will pump into the metropolitan area will help offset the drain of recession and stabilize Pittsburgh's economy. Projections of 7 to 8 thousand jobs will be a tangible benefit of this development that will be welcomed in homes throughout our neighborhoods. The tax revenue could be 10 times as much as the city currently collects.

As Chairman of Housing, Planning and Development, I see this project as a good and beautiful development for our community. Council will be monitoring all phases of the Market Square plan, just as we will be watching families returning to the city in the decade before us. We must anticipate this revitalization of Pittsburgh, and plan boldly for it.

Mr. Stone:

Mr. President, if I may, I would like to have included in this record the report from Council's Sub-Committee that was presented previously.

**TO: MEMBERS OF CITY COUNCIL
CITY OF PITTSBURGH**

**FROM: SUBCOMMITTEE FOR MARKET
SQUARE PROJECT**

DATE: JULY 18, 1979

**SUBMITTED BY:
ROBERT RADE STONE
Member of Council
Chairman**

The City Council Sub Committee for the

Market Square Project was appointed May 31, 1979.

That Sub Committee, headed by Robert Rade Stone, Chairman, a member of City Council, met on the 1st day of June, 1979.

When this Committee was formed, it was formed with the idea that the Committee would attempt to see of matters concerning the Market Square Redevelopment could be resolved amicably -- and to the satisfaction of all parties.

The Committee in an effort to acquire information, created a Questionnaire, which was sent, by mutual agreement of all parties, to the Market Square owners and tenants.

Forty-Six (46) Questionnaires were actually received by the Committee. Others supplied oral comment and information.

Now for the first time -- we had received a general break down of the Preference of the owners and tenants in the Market Square and Street area such as:

My/Our Preference is to:

___ Stay "as is"

___ Get compensated, and leave

BUT - If I cannot stay, then my/our desire is to:

___ End ownership/business WITH proper compensation

___ Relocate (with NO assistance) with proper compensation

___ Relocate (with assistance) with proper compensation

___ Outside Pittsburgh

___ In Pittsburgh - outside of the Golden Triangle

___ In Pittsburgh - in the Golden Triangle any where (with suitable pedestrian traffic)

In Pittsburgh - in the Golden Triangle near PPG (within 2 blocks of the present site)

In Pittsburgh - in the PPG complex (with suitable pedestrian traffic)

This gave a preliminary break down. The Committee thereafter felt that more information was necessary, but more particularly, it realized the sensitivity of the material and the need of confidentiality of that information, but it had to be gotten, if more meaningful progress was to be made.

The Committee then felt that there should be a "one on one" relationship, since it was not likely that any affected person would be disclosing enough if confronted with a Committee.

The Committee's decision was that Robert Rade Stone, would meet with all Property owners and tenants affected. It was clearly understood that that information was to be private between Councilman Stone and the parties themselves.

At the outset, it was clearly understood that in the event of no Settlement and the pursuit of any law suit, that any information given, gathered or received -- was not to be used for or against any party.

An early meeting with attorneys representing all interest, met with Councilman Stone, and being satisfied -- the "one on one" conferences began, with their approvals.

The Role of the Committee nor of Councilman Stone was to be that of an agent for anyone, nor was it to do any negotiating nor any actual relocation, but rather, it was a means but which the parties could communicate

It is important to note what the Committee found as it began.

- (a) Some affected parties had never been contacted;
- (b) Some were badly or wrongfully contacted;

- (c) Some were, in fact, terribly approached;
- (d) Some received bad and, in fact, incorrect information.

Before this Committee could even function, it had to restore confidence with the affected parties.

The Committee attempted to say little and if anything was said, it was accurate.

This approach was most necessary, and helpful!

Councilman Stone met privately and confidentially -- within excess of fifty (50) affected parties or organization representatives. Interviews were on 18-19 days in the last thirty (30) some days.

These "one on one" Meetings -- brought further amplification of the desires and needs of the affected parties.

The discussions were free, open and confidential.

We shared money demands/needs (Per the formula of the affected party) with no negotiations of those figures taking place.

We discussed the uniqueness of each business it's financial needs and/or problems.

Many shared their private worries, concerns and problems.

Relative to tenant businesses, we discussed their present use, space needs, lease terms and anything unique to them, and then their future use, space needs, lease term needs and their ability to pay or not to pay, more particularly, if they were to be relocated, where would they like or desire to be relocated, and specific geographic location were explored.

It has so far been a pleasure to deal so openly with the owners and tenants who have been forthright, candid, honest and, in my opinion, reasonable.

We have tried to return that honesty and credibility -- in kind.

This is why -- the Notice of the action and discussion to be taken at this very meeting -- was for the first time ever -- given to the owner: and tenants first!

I shall later relate, what prompted this decision, at this time.

After receiving this information. Contact was made with U.R.A., and without any disclosure of names or figures in money -- space needs and use and location were reviewed, with the understanding that URA with the Relocation Agency -- would find potential Relocation Sites.

IMPORTANT TO NOTE - This review/survey did shockingly reveal that many, if not most tenants, in the Market Street and Square area have only One (1) year leases or less.

The complexion of this area could have drastically changed -- within a year -- without PPG ever being interested in this Site.

Worse yet, if a direct purchase were made of the property, the purchaser could have "sweetened the price" for the owner, but the tenants would have been out **WITHOUT** any legal obligation for any consideration or compensation.

So, in this one respect, some tenants are or will be, in a better position.

Relative to the availability of Relocation Sites -- surprisingly, there are now -- more than had been anticipated earlier. In addition, some proposed changes in City Authority properties, will make some additional and welcomed Relocation Sites. These Sites were only found with the last 10-14 days.

Contact was made with the PPG Representative, Mr. Richard Sperring, and we received a general consensus and willingness to "bend a little".

In general terms, we discussed the possibility of individual businesses" in the Project" -- having space in the PPG complex, the conditions, possible "sweetheart" leases, and some condominium possibilities and various variation, if it becomes

necessary.

Although we had NOT been near enough to make technical or specific request or needs, nevertheless, we were satisfied that -- PPG was sincere in its willing to "bend a little".

It is important to mention, that Mr. Sperring's involvement with this Committee has been forthright, truthful, candid and conciliatory, for which, at this juncture, we thank him.

Contact was made with the Building Owner.

The Bigger owner very forthrightly indicated that they would rather deal eventually with the URA and/or the Board of Viewers,

Some owner wanted bought out. Their private demands (again, per their own formula) in my professional opinion were "within the ball park" of Reasonable demands.

Some, and quite honestly, a very few, -- were "out of the ball park". They should hopefully realize this, but, it was not the function of this Committee to negotiate and it didn't do so.

Being forthright, it is my opinion (shared by the Committee) that "fair and just compensation" as it has been understood to mean in the past, is not the language nor the figure that should be considered here.

This is not the usual "forced sale". So a reasonable Settlement figure must be given, PLUS "some sweetening", by PPG or URA or both.

The possibility of resolution is at this point -- good -- in fact, better than ever since the inception of this project.

Some building owners, particularly those with "years of history themselves" indicated a desire for a "building for a building".

While at first, this seemed utopian, it was not originally thought even possible, at least, not in this, or the near, area.

We did however, request that URA acquire a near piece of property, and as of last Friday, they were able to do so, and now -- for a limited group, that so requested it a "building for a building" is now more possible, than ever before.

It was the Committees' general feeling that every opportunity be made to keep the affected people in the same business, such as:

- (1) Restaurants -- in the restaurant business -- in or near PPG;
- (2) Parking Lot operators, as parking lot operators, The Parking lot facilities here are under the Parking Authority and they are subject to the bidding processes, but further ways and means were to be explored, to see what, if any more, could be done.

Contact was made with the Senior Citizen Representatives. We discussed their needs and desires, as well, the other related organizations.

There exists presently at least four (4) possible solutions to their needs, and none of which, would place them, further away from St. Mary's, than they are now.

We found a definite desire and intent -- on the part of everyone -- to take care of the Senior Citizens needs!

Earlier, we mentioned, that we sought and we hoped that we had a good rapport and credibility factor with the Market Square and Street Owners and Tenants.

We are pleased by some of the complimentary letters sent and received.

From time to time; however, we have heard some "misquotes", and had immediately attempted to correct those.

One "Street Quote" -- was that "Stone was to call this matter off the table, and to do it, without notice."

The Market Square and Street affected parties, requested and WE promised, to notify all of them, IN ADVANCE, of any and all actions on these bills.

We have been responsible for some delays in making a decision, to this point, and was vocal in opposition to such action, last week. (Without prior notice to the property owners and tenants).

The negotiations, are now in a better position now than ever before, since this project began, and it was my belief that -- that with a little more time -- perhaps more concrete Settlements could be made -- which could add additional good faith and reliance.

We were aware that with each delay that it was a problem for PPG since it was:

(1) Affecting their time table -- and "another month" delay, -- in a project covering a span of 2-3 years -- depending on the construction schedule -- in reality, would be longer, and possible, as much as a year longer in delay.

(2) Escalation was continuing to rise, and on a project of this size and the amount of money, it was a substantial sum.

Especially is this so, when we consider that this escalation loss could be put to better use -- to do some "sweetening of the pie", -- for the affected parties, rather than "going down the drain".

(3) Affecting their projected time table for the collection of all of their employees, from other places -- to this new facility to properly provide a more fiscally responsible business operation.

Even PPG -- has to worry about Money!!

We had hoped that with even more time, that more would be done, and much more would be on it's way -- before Council was required to Vote.

We attempted to stretch PPG's time table -- and we did -- a couple of times!!

Last week, we learned that PPG had reached it's deadline, infact, it had already exceeded it!

Being fair to all, it was our belief that the project, "if it were to die", should not "die in Committee".

Although not what we desired nor hope for: nevertheless -- we respected the fact that -- each had problems and -- in fairness to all -- there must, if nothing else, be respect for the positions of each.

PPG had to have a decision!

We, therefore, had to make some quick decisions and moves!

The most important concern for use was, that the Market Square and Street Owners and Tenants, learn from us, rather, than anyone else; and better than that -- since they are the affected parties, they should and were notified -- First (the first time -- since the inception of this Project.)

The Market Square Project Sub Committee met yesterday.

It was a lively exchange!!!

After each had strongly drawn their respective positions, and all seemed at an impasse -- discussion followed and unanimity of parties -- in compromise was reached.

It was the belief of the Committee that:

(1) To satisfy all parties -- prior to a decision by Council was utopian, but not likely.

(2) To satisfy no one -- was neither utopian nor likely.

(3) To delay -- would still not result in total satisfaction of all parties.

(4) There then needed to be some middle ground, with satisfactory machinery and some additional safeguards, (Although, in fairness the change in field negotiators was made and this was well received by all the parties.)

The Sub Committee for the Market Square Project, has authorized me to bring forth their consensus and their recommendations as follows:

- (1) That Council, only receive the Sub Committee's Report today.
- (2) That Council withhold action on this legislation for one (1) more week -- to give council time to absorb the report and its reaction.

NOTE - Although passed their deadline, and although **NOT** originally, disposed to delay any longer, Mr. Sperring in front of the Committee, contacted, recommended and received the approval for one (1) more week's delay -- from PPG but it is understood to be their last.

- (3) That Negotiations (now that potential Sites are available) continue daily and at full speed in order to accomplish:
 - (a) Settlements and;
 - (b) Confidence that Settlements are possible
 - (c) Confidence in the parties, that Settlements could be reached;
 - (d) That safeguards and guidelines be set up.
 and lastly

- (4) That next week, the Council finally VOTE on the Project, and that if the Vote be favorable. That an overseeing or monitoring Committee be set up, made up of:

- (a) Robert Rade Stone of Council;
- (b) Dan Petragallo of the Housing Authority/Relocation; and
- (c) Robert Lurcott, of City Planning.

The function of this Committee will be to oversee and if there be an impasse in negotiations, that this Committee be used to review to see if the negotiations are or are not fair.

The Committee is mindful of a pending lawsuit, and in this way, it is hoped that is shall amicably and properly be Resolved.

The Committee cannot over emphasize to all -- the sensitivity of the **ISSUE** and the **SENSITIVITY** of negotiations, nor the **SENSITIVITY** of the state of the negotiations, at this time.

If the present status of negotiations are adversely affected, by what we may do, then any gains heretofore made, will be for naught.

RESPECTFULLY SUBMITTED
SUB COMMITTEE FOR
MARKET SQUARE PROJECT
ROBERT RADE STONE
 Member of City Council
 Chairman

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens moved that Bill Nos. 3119, 3120, 3121, 3122, 3123, 3124 and 3167 pertaining to the Market Square Project be effective upon the date of the Deputy Mayor's signature.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Bulls presented

No. 3656 Report of the Committee on Public Safety for July 25, 1979 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3518

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten, BUILDING, Article VII, General Construction Regulations, Chapter 1065, Fire Prevention Equipment, Section 1065.09 APPROVED TYPES OF FIRE ALARM SYSTEMS and Section 1065.11, PERMIT FEES, by changing the definition of 'selective Code system' to require building owners to convert to the Pittsburgh Citizens Emergency System; and by changing the permit fees for fire alarm systems."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

I received a report on that over the weekend which I just started digging into, it was given to me from Ben Hayllar in regards to how this 911 was going to tie up with this master box from the various buildings. I didn't get a chance—cursory, it seems like there is going to be no problem, that they will have a separate system, so with that I'll go along with this particular bill, but I am still furthering the investigation into that because it is a very serious thing as to what I have been alluded to by Ben Hayllar was the fact that this particular emergency, from a master alarm box will not go into the common 911 system. It will go into an independent signaling device within the 911 system, it will not be intact, it will be a co-part of it not in the existing, like we know, the 911 system, when we activate that emergency phone response, so I hope that's the case, if not, then I've been misled.

Michelle Madoff:

Mr. Givens, who will answer us? Who will answer those calls? You know I share your concern.

Mr. Givens:

Well, Ben indicated that this will go into sort of like a separate box in itself in the 911 system, but with a capacity of some 12 multiple alarms being able to come in at one time and the operator will have the ability to sort of knock off each one of the alarms as they come in further on down the road they will be able to say actually what address. Like a master alarm encompasses a whole city block, in some cases more than a whole city block and as a result you can have several buildings that might be signaling a particular alarm and that square or multiple squares in that one master box. So, its an on growth, I like the idea and the concept, I just hope everything he has indicated in his preliminary letter to me is in fact, within the capability and within the technical part of the art of communicating an emergency 911 system with the Master Box alarm.

Michelle Madoff:

Did you get any feeling in the correspondence or in your conversation as to who was going to handle the increased workload and answering the calls and whether they will improve the system over there? You may have read the letters to the editor recently.

Mr. Givens:

It also indicated emergency, the present fire alarm, this will be recorded up there too, the master boxes will still be recorded, our 9th floor fire alarm, which sort of made me feel that someone else other than the 911 system would be directly dealing with this, but eventually I'm sure, the whole system will be integrated into the 911, but when you get the master alarms, that is something that I don't want tied into the 911 system because its just too important. That one minute means the difference between life and death.

Michelle Madoff:

Perhaps we ought to wait until the beginning of the year, once they have it in and have a report back on how things are moving

along and what is happening in 911 and maybe we can do some investigating between now and then because I get calls and I'm sure you do and correspondence and the letters to the editor have talked about some problems with 911.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No 3657 Report of the Committee on Lands and Buildings for July 25, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No 3536

A Resolution entitled, "Resolution amending Resolution No. 1244, approved October 31, 1978, effective November 3, 1978, entitled 'Resolution providing for a license to Duquesne Light Company for the installation of an underground electrical system on City property, Freeport Road, 12th Ward', by providing for additional equipment installation."

Which was read.

Also,

Bill No. 3537

A Resolution entitled, "Resolution providing for the purchase in lieu of condemnation for park and other public purposes, certain property designated as Block 39-J, Lot 3 on Glendon Street in the Twenty-eighth Ward of the City of Pittsburgh; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3538

Resolution repealing Resolution #490 approved 5/24/79 which repealed Resolution #650, approved 8/9/76 and re-enacting Resolution No. 650 for the sale of property in the 19th Ward on Meridan Street, Block 6-M, Lot 98 to M.J. & Donna C. Marasco for \$450.00 which was later transferred to Gerald C. and Beatrice Rothhoff by assignment of M. J. and Donna Marasco.

Which was read.

Also,

Bill No. 3539

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

No. 3657 WHEREAS, the utilization of Technology has produced a tremendous contribution to the development of American Society; and

WHEREAS, those institutions and organizations that have trained and prepared individuals in the technical professions are continuing to contribute to the application of Technology; and

WHEREAS, professional organizations, such as the National Technical Association, are encouraging and promoting a better public understanding of Technology and encouraging the youth of our Nation to pursue technical careers; and

WHEREAS, the National Technical Association, Incorporated, chartered in 1926, will be conducting its Fifty-First Annual Convention in the City of Pittsburgh, August 1, 1979 through August 4, 1979 at the William Penn Hotel.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council, on behalf of the residents of the City of Pittsburgh does honor and recognize the National Technical Association, Inc., and its Pittsburgh Chapter, for its outstanding contribution to the improvement of Society through Technology.

Which was read.

Mr. Robinson moved for approval.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 3658 WHEREAS, many of the provisions set forth in Pittsburgh's Home Rule Charter have directly expanded the powers and duties of Pittsburgh City Council; and

WHEREAS, this expansion of powers and duties has resulted in a rapid increase in the volume of work generated by Council and Council's staff; and

WHEREAS, this increase in workload has greatly contributed to the crowding of existing office space; and

WHEREAS, the Mayor's Office, City of Pittsburgh, in conjunction with the Greater Pittsburgh Chamber of Commerce, assisted in the formation of the Committee for Progress and Efficiency inn Pittsburgh (ComPEP), a voluntary commitment of local corporations to help upgrade City government operations; and

WHEREAS, one of ComPEP's major objectives is to assist City government officials with the analysis of techniques and systems, and enable them to continually update and improve these administrative functions.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby invites the Committee for Progress and Efficiency in Pittsburgh (ComPEP) to review and analyze City Council's work staff and method of operation, recommend improvements and advise Council in the following areas:

- a. Suitable staff size to meet the rapidly expanding workload adequately.
- b. The physical set-up and amount of office space necessary for efficient working environment.
- c. Appropriate salary scale and benefits

for Council's full-time staff and research assistants who work full-time in order to employ and keep quality personnel.

BE IT FURTHER RESOLVED that the intention of this resolution is not to criticize Council's present staff and work performance, but to creatively evaluate the present system with hopes of achieving new management technology for a more efficient and effective government operation.

Which was read.

Michelle Madoff moved for approval.

Mr. Givens:

Mr. President, I think the resolution is one that -- you know, we get so many of these resolutions that come before us right when you sit down --

The Chair:

Excuse me one second, Mr. Givens, is there a second on the resolution?

Mr. Givens:

Well, I'm trying to explain one thing Mr. President, if I might, it says by our own Council by-laws that all resolutions are to be submitted to us at least -- its either 24 or 48 hours -- at least no later than the working day Friday, to all the Councilmembers. We come out here continuously and see a resolution laying in front of us. That doesn't give us much tie to explore the particular merits of that particular resolution and to contact anybody that we so choose.

I bring that up before all Councilmembers that this is our own Council by-laws that any resolution submitted should be done in that orderly fashion.

There are merits in this particular resolution, but it is very sensitive -- matters that I think we have division of powers between that of the executive branch of government, which ComPEP will be doing and that of the Councilmanic bodies of the City of Pittsburgh and the Controller for that matter taking in all three areas of responsibilities. I welcome either this or something like it

because I think the new Home Rule Charter has in fact given new direction to both Council and the Mayor and to the Controller of areas of responsibility to strengthen government for the benefit of the people.

The Chair:

Mr. Givens, if it is a fact that resolutions should be submitted 24 or 48 hours before the meeting then I will stand corrected. However, it has been my experience as Council President and as a Councilmember, that almost all resolutions came to our attention the day of the meeting, or the afternoon that the meeting was held. But, if that is a requirement then we've been slipping up on it and I'll check with the Clerk and see that it doesn't happen again.

Mr. Givens:

If Michelle Madoff would so conform with that I could give this serious consideration between now and next week.

Michelle Madoff:

I would be happy to hold it for a week but I would like to point out that I have talked to I think most Members of Council that I speak to -- we don't speak to each other, many of the Members -- but for those that I do have a speaking relationship with we've discussed these problems and the fact that you just stated, the workload has grown tremendously. Our staff people are paid not even in line with the lowest levels of business. The type of work they do for research assistants and the duties that are called upon we don't have anybody on the City Council staff who can take shorthand at the moment which is a drawback and a problem, I think it becomes a hassle in Council when I come out and say that I need someone who can take shorthand, we do have a meeting, we say, "yes, we should solve these problems", I thought it would be in the best interest of Council to have an independent body that would come in and not criticize what Councilmembers are doing or how they operate their individual offices, but what they would suggest to us as a way of keeping better staff. For example, are you aware, are the Members of Council aware that the Mayor's Staff get the benefits that accrue, such as pensions,

retirement, health services, yet the people who work for us in our offices get none of these services and the minute they get a job that offers them even the same salary with benefits they've got to be tempted to leave.

The facilities in our offices are just unbelievably small. I think we are aware of these problems, I've discussed this, this isn't anything new -- it isn't something I sprung on anybody, we've aware that these problems exist. I took very careful pains to point out that this was not a criticism or trying to move in the direction of telling Councilmembers how to run their own shifts or their own operation. But, the fact that we should have more space, how do we adequately compensate the people. I know that Mr. Lally, before I got here, was trying to get adequate compensation for staff members and he and I were the ones who supported a bill last year that did get a slight raise for staff people. That's the direction that I'm looking at and I agree that if it isn't ComPEP we don't know that they will accept. But they are an independent body and that's where I was looking.

Mr. Givens:

I said I agree with you.

Michelle Madoff:

If you agree with me let's get on with it.

The Chair:

Did I understand you to say that no members of Council's staff can take shorthand?

Michelle Madoff:

There's nobody available at the moment according to Mr. Perry, on his staff that he can spare that can take shorthand for Members of Council. We've discussed this --

The Chair:

I think we should set it straight with the record, there are people on Council's Staff who take shorthand.

Michelle Madoff:

Yes, but not that he can spare on an ongoing basis for Councilmembers and he himself has stated that he is going to speak aboard he will look for somebody with shorthand.

The Chair:

I don't follow you when you say that he can't spare them. If you want a secretary to take shorthand or take notes he'll get you one.

Michelle Madoff:

Well, who can take shorthand? The only one who can take shorthand to my knowledge is Anna Marie who works for Mr. Perry. There's nobody else who can take shorthand. That's the only one.

The Chair:

Anna Marie takes shorthand and Carrol Conway takes shorthand.

Michelle Madoff:

Carroll took shorthand for me, sir and she couldn't do the letter, came back and said, "I haven't done it in 15 years I've been here" --

Mr. Lally:

I wouldn't bring out any names Mr. Chairman, it's not fair.

Michelle Madoff:

But I didn't mention the name.

Mr. Lally:

I don't think we should bring out any names here, I think my concern is the present employees, what their status is going to be. I don't want to see any of these people hurt and I think this resolution should be held for one week as suggested by Councilman Givens, let us give it some study and come back with a recommendation.

Michelle Madoff:

And some amendments, I'm not married to the words if you –

Mr. Lally:

My concern is these people, I'm not going to be here, but these people are going to be here, I hope.

Mr. Lally moved that the resolution be held for one week.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

Could we see that those Members of Council who are not here get a copy?

Mr. McCray:

Yes.

The Chair:

We have a problem with the printer on the minutes, its nobody's fault so we have no minutes to approve. I will ask for a motion to adjourn.

And on motion of Mr. Coyne

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, August 6, 1979

No. 33

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.

Monday, August 6, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3659 Resolution transferring \$40,000.00 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees to Code Account No. 1443-6, In-Grade Pay, Department of Police.

Also

No. 3660 Resolution transferring the sum of \$265,000.00 from Code Account No. 1461, Salaries-Wages/Regular and Temporary Employees as follows to the following Code Accounts within the Department of Fire; \$200,000.00 Code Account No. 1461-1, Premium Pay; \$65,000.00 Code Account No. 1461-2, In-Grade Pay.

Which were read and referred to the Committee on Finance.

Also

No. 3661 Communication from Robert J. Coll, Supt. Department of Police, requesting permission for Asst. Supt. Stephen Joyce and Lieutenant Clark Tomer to attend FBL Retraining Session, Uniontown, Pa., September 9-12, 1979, at cost not to exceed \$250.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3662 Resolution transferring the sum of \$80,000.00 eighty thousand dollars from Code Account No. 1167 - WAGES, REGULAR EMPLOYEES, Department of Environmental Services to Code Account No. 1168, WAGES, VACATION the sum of fifty thousand \$50,000.00 dollars and to Code Account No. 1167-1 PREMIUM PAY the sum of thirty thousand \$30,000.00 dollars, Department of Environmental Services.

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 3663 Resolution approving the Revised Proposal dated July, 1979, for Redevelopment Activities in Redevelopment Area No. 27 - Manchester, located in portions of the Twenty-First Ward of the City of Pittsburgh; approving Modification No. 2 to the Redevelopment Area Plan - Urban Renewal Plan; and making certain findings related thereto.

Also

No. 3664 Resolution authorizing a Fourth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for conveyance of public properties, dedication of a public park, correction of map references, and updating of financial arrangements.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3665 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$7,500.00 for purchase of washer, dryer and hose rack for No. 10 Engine Company. Funds are available in Code Account LB 77-09, Renovations Various Public Buildings, Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3666 Resolution amending Resolution No. 487, approved July 12, 1976 entitled "Approving 1976 Capital Improvement Projects; allocating and setting aside amounts in connection therewith; creating trust funds; transferring Bond Funds to said trust funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the cost thereof," by decreasing the appropriation for WD-76-02 and WD-76-03 and establishing new line item WD-76-06, Water Line Relay, Evaline Street.

Also

No. 3667 Resolution providing for a contract or contracts for the relay of water lines on Evaline Street, between Liberty Avenue and the Friendship Avenue and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Water.

Mr. Robinson presented

No. 3668 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$1,197.67 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and for the payment thereof.

Also

No. 3669 Resolution providing for the issuance of a warrant in favor of Keystone Diesel Engine Company, in the amount of \$5,627.25 in payment for specialized emergency work needed to repair certain City vehicles, and for the payment thereof.

Also

No. 3670 An Ordinance amending the Pittsburgh Code, Chapter 719 - Vendors and Peddlers, Sections 719.02, 719.03, 719.05, 719.06.

Which were severally read and referred to the Committee on Finance.

Also

No. 3671 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Community Release Agency to initiate and implement a Housing Rehabilitation Program in Community Development Neighborhoods, costs not to exceed \$80,000.00 from the following costs accounts: C.D.U.L.O. Trust Fund-1976: \$840.00; C.D.U.L.O. Trust Fund-1977: \$52,681.72; C.D.U.L.O. Trust Fund-1978: \$5,837.61; C.D.U.L.O. Trust Fund-1979: \$20,640.67.

Which was read and referred to the Committee on Planning, Housing and Development.

Also

No. 3672 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$16,488.46 to Allied Chemical Company for purchase of chemical alum for Water Treatment Plant, to be payable from Code Account 1750, Chemicals, Department of Water.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3673 Resolution providing for the issuance of a warrant to John P. McIntyre in the amount of \$1,510.55 in full settlement of claim for damage to his motor vehicle, and providing for the payment thereof.

Which as read and referred to the Committee on Finance.

The Chair presented

No. 3674 Communication from N.C. McDermott, Jr. Comptroller, Allegheny County Sanitary Authority, submitting list of personnel as of June 30, 1979.

Which was read and referred to the Committee on Finance.

Mr. Bulls moved to suspend Rule 8 on all bills presented today by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

UNFINISHED BUSINESS

Michelle Madoff presented

Bill No. 3658

A Resolution entitled, "Resolution inviting the Committee for Progress and Efficiency in Pittsburgh (ComPEP) to review and analyze City Council's work staff and method of operations and recommend improvements in order to creatively evaluate the present system in hopes of achieving new management technology for more efficient and effective government operation."

Which was read.

Michelle Madoff:

Mr. President, I wish to amend Bill No. 3658 by deleting the fourth and fifth whereas clauses and the be it resolved clause and insert in lieu of clause:

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby seek outside, independent and objective review and analysis of City Council's work staff and method of operation, recommend improvements, and advise Council in the following areas.

What happened is that there was some discussion between Mr. Givens and myself about calling ComPEP as to whether they would be willing to do the work and I had pointed out that we couldn't ask them unless it was approved by Council, but nevertheless, called to see what their feelings would be and was informed that ComPEP, as it is presently devised, addresses itself only to the Administrative end which is the Mayor's end and that if we wanted to have a similar committee it would be called something else and we would form our own committee. In further research, I decided to take the ComPEP concept up and leave the resolution intact except for who would be doing it and would like to recommend that perhaps Councilmembers would come up with names so that it would not be Michelle Madoff saying we ought to look at staffing needs and what benefits we need to keep good staffing and salaries, but perhaps some of the names could be recommended by other Members of Council.

I throw out for your consideration the name of a Dr. Christine Altenberger who is at Pitt and she has expertise in this area. I believe she teaches in this area at Pitt. There are other names such as Joe James or Jim Cunningham — it could be anybody. There might be other names that Members of Council feel would be experienced to come in and review. Essentially, not the work of the people that work for Mr. Perry, but just in the general outline. The type of skills that he himself should have to make it easier. If we wants to be included in the project, but certainly the fact that we should have a person available to Councilmembers who is free to take shorthand. We have one person who

does it very capably but is tied up — no one else can take shorthand. As you know, our staff members to Council receive a very small salary and no benefits, with the workload that has been put upon us by the Home Rule Charter and the four days of hearings, just reading the bills and getting through them and checking through them is a full time job. That doesn't include all the things that we do for constituents and the meetings we go to and that's the area I refer to, the staffing and facilities that I would like to have looked at and I hope someone will second it.

The Chair:

Do we have a second on the amendment?

Mr. Robinson:

Point of order, Mr. President, it was my understanding that this bill was going into committee?

Michelle Madoff:

My understanding was that Mr. Givens asked that we hold it for a week because he felt that resolutions should have 24 hours notice and although that hasn't been the practice he wanted it held for a week so that he could look at it and think about it and I presume everybody else did the same thing.

I can't imagine that any Member of Council feels that \$11,000 per year for a top research person is an adequate salary or that working as we do in our offices, I know my office, if I'm going to close the door I'm going to hit somebody on the head. We have a new little file cabinet, we can't open the door, open our files in order to function. I have two typewriters — two of us working in the room. I notice that other Members of Council when they are meeting with people, their staff people have to go out in the hall, there are no facilities, and we're really cheating the public because we are being penny-wise and pound-foolish. If we don't have the adequate services we cannot do the jobs that we were elected to do and I would hope that we all have expressed this opinion in various ways. I'm not saying that we're bound in any format to go about, this is just a general idea to go over and see what kind of salaries so that Councilmembers aren't

saying, "this is what we should be paying people," "this is the kind of facilities we need," but somebody who is equipped to do this and the suggestions, and the person should be approved by all Members or the majority of Council. Not my suggestion.

Mr. Givens:

Mr. President, it was my request to hold it one week was for the reason that any resolution brought before this Council should be given in such a timely fashion that we can review it. That was my reason to hold it for one week. It was not that I was going to give it any automatic blessing. In reviewing the particular resolution, I think it has merit, I think its something that should be taken up with the President of Council, the Finance Chairman and this Council should review it in the future and around budget time when we and Council make up the budget for the City of Pittsburgh. I think that's the appropriate time for this Council to sit down, even before that time to study these issues before us and to make recommendations to you Mr. President as to how this Council should conduct its business in the future.

Michelle Madoff:

May I comment Mr. President? Last year, being new to the budget, and not even knowing what a code account was, I just assumed that was a bank number — thanks to Mr. Lally speaking out and he and I requested the salaries be changed I think from ten to twelve —

Mr. Lally:

Ten to eleven.

Michelle Madoff:

No, it was ten to twelve, we compromised at eleven.

Mr. Lally:

You're correct.

Michelle Madoff:

That's a disgrace. What person who can meet the qualifications, to be able to be a real

research assistant and can meet with the public, deal with it, deal with the department heads, follow through, and in essence, be our alternates, because they really act for us when we're not here, should be paid \$11,000 per year. And the Milk Board, the Secretary, the Administrator for the Milk Board gets less money than her aide does because she is part time and that person is full time and is doing the job. I just hope we don't deal in personalities, I hope that we rise above the personalities and do what is right and honorable. That's all I am asking. I think if this is voted down, what we're saying is something really sad. I think it's a very sad message to the public.

The Chair:

Your point is well taken, but if I understand correctly, Mr. Givens is saying this is a prerogative or duty of Council to take up at budget time and feels that we could do just as good a job of evaluating as an outside consultant.

Michelle Madoff:

"Mr. President, I don't think we have enough time when we get into the hassle of the budget, you know what happens, we're all going on vacation now, Council breaks, we come back you're into the election, we get through the election, the day after election we go into budget and it will be another thing—" "Well, I think we should raise them a little bit," "Okay, how much do you want?" and on and on, and that's all that's done. You know what the situation is, you know the quarters we work in and it's a chicken coop. somebody came over here from the Commissioner's office, I don't remember what department head, and she was looking to pick up some papers, walked in and spoke to my aide and said, "Is this your office or Michelle's office?" and "Boy, isn't it small?" and my aid said, "It's both our offices," and she couldn't believe it.

If I don't get this passed in some form where we can and I say, at the discretion of Council and Council picking the people and taking some time because it can't be done in a hurry — as a matter of fact, I was told it would take a year to do it properly. We might make some temporary kind of things, but if we don't have this done, I'm going to

pay for it myself, I'm going to have somebody in to review it myself and I'll issue my own report and I think that would not be good for Council because facts speak for themselves.

The Chair:

This could purely be your own personal opinion Michelle. For instance, does any other Councilmember feel their office is too small? Or not adequate? I've never heard any other complaints. I'm not saying that your office isn't.

Mr. Lally:

Mr. President, I don't feel that the office is too small, but I do agree with Michelle on the price, I think that in order to get qualified Administrative Aides and people who are working in here for you, they should be covered at least with hospitalization or pension benefits or something.

The Chair:

Excuse me, are you talking about Research Assistants?

Mr. Lally:

Yes, that's what she is talking about.

The Chair:

I was going to say, our regular help—

Mr. Lally:

No, the regular help are covered by that Jeep, but the Research Assistants have no coverage at all as far as hospitalization, no benefits at all.

Michelle Madoff:

And, may I point out, Mr. Lally, that the Mayor's staff do have that. And they're only here really, you know, if he is elected again. They have all the benefits.

Mr. Lally:

I think this could be adjusted in the hearing.

The Chair:

Hospitalization is one thing, but if you are talking about pension, I don't think legally you can cover a so-called part time employee or seasonal employee under the Pension Fund. I'm almost sure that the Pension Board wouldn't cover

Mr. Lally:

Probably not under the Pension Plans Mr. President, but you can under the hospitalization programs and most of the Councilmen have full time employees with them.

The Chair:

Yes, but I think the problem there Jim, is that most Research Assistants with few exceptions, are those that come and go, you might have then one summer and never see them again, some of them are going to school or when they finish school they go on to a profession.

Mr. Lally:

Well, that's true too, but while they are here.

Michelle Madoff:

Well, it could be applied to those that do work full time and who want that option and for those councilmembers who want a full time person.

The Chair:

I won't dispute it Michelle, there are nine Council people here and I think it's up to their judgement, or as a majority as to what they want to do on the matter.

Mr. Lally:

Can it not be adjusted Mr. President, when the budget hearings are here? I think that is the time for it.

Michelle Madoff:

Well, if we don't study it before, we'll get to the budget hearing and be told "we don't know, we haven't looked into it."

Mr. Givens:

You must study it before and at budget time have the recommendations sent forward to all concerned and to recommend it as a Councilmanic body and then to present that at budget time and be sure we have the financing to back it up.

Michelle Madoff:

I'd like to make another point if I may. It is not really humanly possible with all the workload we have, on a part time basis, and that's what this job is, whether some of us work full time or part time is really irrelevant. Most of us are supposed to look at our own bills. How many Members of Council look at everybody else's bills? I've made it my policy because I've been insulted in Council repeatedly as not having done my homework, to get every bill every week — it's somewhat of a strain on my friend, but he does it for me and I look at every bill and it's amazing what I find in another department occasionally. Occasionally I'll ask another Member of Council, "What's the dollar figure on this?" or "What's the problem on this?" And it becomes very apparent that when we are hassled because something is coming up for an emergency or a hearing, the Members of Council sometimes haven't read their own bills, never mind somebody else's bills. And, I think the only way we are going to resolve this is with adequate staffing. That's how it's done in the Legislature, that's how it's done elsewhere, that's how it's done in other government bodies and I don't think my word should be the end-all, nor should any Member of Council's. It should be some people or a body assigned to look into the parameters and guidelines of what we can do to make our job easier and better and more efficient. And, how anybody could vote against that is beyond me.

The Chair:

I think we've covered it rather well, all points, is there a second on the amendment?

There being no second on the amendment, the amendment dies and therefore, is obvious there won't be a second on the bill, so do you care to withdraw the bill?

Michelle Madoff:

I'm not at all surprised, I might add. No,

I don't withdraw it, I presume it just goes down to defeat and I'll take my action from there.

The Chair:

Do you make a motion to approve the bill as read Michelle?

Michelle Madoff:

Yes, I do.

The Chair:

Is there a second on the bill itself?

There being no second, the bill is defeated. Thank you Michelle.

Michelle Madoff:

Business as usual.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3675

Report of the Committee on Finance for August 1, 1979 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3564

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$1,241.40, in payment for repairs to the refrigeration system at the North Side Public Safety Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 3565

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$57,639.05 and \$30,357.70, totaling in the

aggregate \$87,726.75, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh an providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 9

Noes None

And there being two-thirds of the votes of Council in the affirm. bills passed finally.

Also,

Bill No. 3566

A Resolution entitled, "Resolution transferring the total sum of \$11,017.00 from Capital Project LB 77-07, Third Floor Renovations, to Capital Project LB 77-09, Renovations of Various Public Buildings, Department of Lands and Buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

On Bill No. 3566, I would like my comments from Wednesday included into the

minutes. Its time that Council had some kind of priority and I've asked for a bathroom over a year ago, all I get is, "I don't know, I don't know when I'll have the figures, I don't know when its going in." Until Mr. West deems it proper to give us an answer, I'm going to oppose work done in the building elsewhere.

MICHELLE MADOFF'S REMARKS FROM THE MEETING OF WEDNESDAY, AUGUST 1, 1979:

Michelle Madoff:

Mr. President, may I ask Mr. West — can you please tell us what the improvements are? What are the renovations?

Mr. West:

It is the demolition and entire re-building of the third floor of the City-County Building.

Michelle Madoff:

I'd like to have this on record. I hope that Council will get that same kind of attention when we need help. I have been waiting for a bathroom for one year and I also work in an office that is two by two with two typewriters!

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. Depasquale
(Pres't)

Ayes 8

Noes 1 (MICHELLE
MADOFF VOTING
NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3573

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Meyers Plumbing & Heating Supply Company, 2127-35 Fifth Avenue, Pittsburgh, PA 15219 in the amount of \$664.10 in payment for the purchase of 29 curb boxes furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3574

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Standard Machinists - Supply Company, P. O. Box 1287 Pittsburgh, Penna. 15230 in the amount of \$281.85 in payment for Repairs to a Portable Versa - Mill Machine furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3575

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of \$1,675.00 in payment for repairs to a S-54 Tapping Machine furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3576

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pascoe Equipment Company, R.D. 2, Oakdale, PA 15071, in payment for rental of a loader and backhoe furnished for the benefit

of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3583

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$1,758.70 in favor of united States Steel Corporation, Supplies Division, in payment for 'Extra Work' performed at City Garage in connection with the installation of the fence and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council n the affirmative, th bills passed finally.

Which was read.

Also,

Bill No. 3584

A Resolution entitled, "Resolution transferring funds from one code account to another, the sums as indicated: \$3,000.00 from C.A. 1174, Department of ES, Rental of Equipment to C.A. 1127, Department of Supplies, Advertising for Contracts; \$7,000.00

from C. A. 1174, Department of ES, Rental of Equipment to C.A. 1145, Department of Supplies, Oils and Greases; \$15,000.00 from C.A. 1174, Department of ES, Rental of Equipment to C.A. 1128, Department of Supplies, Miscellaneous Services; \$90,000.00 from 10 Accounts Payable Prior Years to C.A. 1128, Department of Supplies, Miscellaneous Services; \$25,000.00 from 10 Accounts Payable Prior Years to C.A. 1148, Department of Supplies, Automotive Equipment; \$80,000.00 from C.A. 1141 Department of Supplies, Salaries and Wages - \$50,000.00 to C.A. 1126-1 Premium Pay (Mechanics) and \$30,000 to C.A. 1148 Auto Parts."

(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

On Bill No. 3584, I move to amend this bill by deleting \$90,000.00 coming from 10 Accounts Payable Prior Years to 1128, Miscellaneous Services, also delete, \$25,000.00 coming from 10 Accounts Payable Prior Years to 1148 Automotive Equipment and inserting in Lieu thereof, the following: \$50,000 from Code Account 45, Health Insurance, Municipal Employees to 1128, Miscellaneous Services also, \$15,000.00 from Code Account 44-1, Unemployment Compensation to 1128, Miscellaneous Services also, \$25,000.00 from Code Account 1043, City Information Systems to 1128, Miscellaneous Services, also \$25,000.00 from Code Account 1043, City Information Systems to 1148, Automotive Equipment.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Excuse me, we've changed most of them is that? Have we found other sources?

Mr. Stone:

No, we just replaced \$115,000.00.

Mr. Robinson:

In other words, no money is coming out of Code Account 10 now.

Michelle Madoff:

And Code Account 10 is —

Mr. Stone:

Accounts Payable, Prior Years.

Michelle Madoff:

We're still taking it out of Rental of Equipment aren't we? That's the one I was concerned about.

Mr. Robinson:

Yes

Michelle Madoff:

Is that acceptable in the form that it is in now?

Mr. Robinson:

Yes.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 3594

A Resolution entitled, "Resolution providing for the issuance of a warrant to Nationwide Insurance Company and Regina Grebb, c/o Kirby L. Boring, Esquire, in the amount of \$1,825.00 in full settlement of claim for automobile damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3595

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Pennsylvania Commission on Crime and Delinquency, in the amount of \$1,229.00 in payment of the refund of the unexpended project funds for Federal Grant Number DS-75-B-9-554 furnished for the benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3596

A Resolution entitled, "Resolution tran-

sferring the aggregate total of \$25,000.00 within code accounts of the Department of Law."

Which was read.

Also,

Bill No. 3597

A Resolution entitled, "Resolution transferring \$50,000.00 from Code Account No. 1060, Salaries, Regular Employees, Department of City Treasurer to Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer."

Which was read.

Also,

Bill No. 3598

A Resolution entitled, "Resolution transferring \$1,300,000.00 from Code Account No. 1443, Department of Police, Salaries and Wages, Regular and Temporary Employees, \$500,000.00 from Code Account No. 1461, Department of Fire, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 44, Workmen's Compensation Fund."

Which was read.

Also,

Bill No. 3599

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a Special Trust Account for the Comprehensive Employment and Training Act Private Sector Initiative Program (PSIP). Said Trust Fund shall be designated CETA - T.7 Trust Fund into which account there shall be deposited any and all United States Department of Labor Grants Funds, together with such local funds as may be required."

Which was read.

Also,

Bill No. 3600

An Ordinance entitled, "An Ordinance amen-

ding the Pittsburgh Code, Title Five - Traffic Article III, Towing, Chapter 525, Towing Charges, Section 525.03, FEES AND PAYMENT FOR SPECIAL WORK, by changing the fee for payment of Special Work."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3676

Report of the Committee on Public Works for August 1, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3556

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Advo-System, Inc., (ADVO) for a computerized mailing list of residential addresses in the City of Pittsburgh in connection with the Department of Environmental Services Ten Year Solid Waste Management Plan, and providing for the payment of cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No 3677

Report of the Committee on Planning, Housing and Development for August 1, 1979, transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3319

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 20 by changing from 'R1' One-Family Residence District to 'C2' Highway Commercial District all that certain property bounded by: Buttermilk Hollow Road; Lot Numbered 11, Block 243-C in the Allegheny County Block and Lot System; a line parallel to the center line of Mifflin Road located 74.42 feet west of said center line; Lot Numbered 50, Block 243-G in the aforesaid system, 31st Ward."

Which was read.

Also,

Bill No. 3559

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with ACTION-Housing, Inc., for professional services in connection with the Department of Housing's Neighborhoods for Living Center, amending the Agreement between the parties dated February 16, 1979 by providing for additional services and by increasing the amount provided therefore."

Which was read.

Also

Bill No. 3560

A Resolution entitled, "Resolution providing for an Agreement or Agreements for services in connection with the collection of Business and Economic Development Information and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3561

A Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings of site improvements and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

On Bill No. 3561, you may recall that I raised the issue of whether the \$200,000 that would be used for demolition was ever used on buildings that belonged to absentee landlords and landlords and whether we ever were reimbursed and the information was that we were not reimbursed, but that legislation was pending in Harrisburg that would allow us to put a lien against the land as we have against the building.

The Chair:

I don't quite follow you — in the past if a

building was condemned and was owned other than by the City and the owner didn't follow through and tear that building down the City did and the owner was billed for that amount of money.

Michelle Madoff:

No sir, they were not billed for the cost of taking the building down, is the law.

The Chair:

They absolutely are billed.

Mr. Lally:

Yes, they are changed.

Michelle Madoff:

We asked the question in Council of the Director the other day and he said no and there is a bill pending in Harrisburg right now that will allow us to go back and collect for the demolition of the house. I asked that question.

Mr. Lally:

I was under the same impression that Mr. DePasquale is.

The Chair:

I know property owners have been billed for their property being torn down.

Are you talking about a house perse, or are you talking about a building?

Michelle Madoff:

If there is a building or a house or whatever on property other than the City — other than City property — and we took the building, I asked I believe it was Mr. Brophy, were we reimbursed, and the answer was no, but there is legislation pending in Harrisburg that will allow us to put a lien against the sale of the land I guess. Now, my question is could we in some way until this legislation is approved, hold up on, unless its a matter of life and death, hold up on the demolition of properties that we are taking down for somebody else who is reaping the benefit, and two, if we have to take it down, could it be retroactive and what I'm really asking for

then, if Mr. Perry would get us an update as to whether we can hold off on non-City owned properties and if we have to go ahead, can we retroactively put a lien against it and what is the status of the legislation.

Mr. Bulls:

Mr. President, the Parliamentarian just informed me that the City does in fact file house razing liens when they tear down a piece of property that is owned by an individual.

Michelle Madoff:

Why were we informed contrary to that by the Director?

I believe it was Mr. Brophy?

Mr. Lally:

Well, I think we should have asked the Parliamentarian, he is from the Legal Department.

Parliamentarian:

I know that house razing liens are filed by the lien clerk in the Law Department.

Michelle Madoff:

Would you be so kind as to check with Mr. Brophy and find out why he informed us otherwise and talked about pending legislation.

Mr. Lally:

Maybe misunderstood your question Michelle.

Michelle Madoff:

Possibly, it could have been a misunderstanding. Thank you.

Also,

Bill No. 3562

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right title and interest, if any, in and to the publicly owned property in the 13th Ward

of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 175-B, Lots 106 and 226; Block 174-B, Lot 242; Block 174-R, Lot 139, Block 125-M, Lot 354."

Which was read.

Also,

Bill No. 3563

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the winners of the Homewood-Brushton House Sale Lottery held on June 7, 1979 or the highest ranking qualified alternate, if said winner fails to qualify, for the sale of Block and Lot Numbers 125-L-24, 125-D-64, in the Twelfth Ward of the City of Pittsburgh and 174-G-306, 175-A-41, 175-B-226, 175-C-308, 175-C-302, 125-M-354, 174-R-139, 174-F-89, 174-B-302, 174-B-109, 174-E-199, 174-B-279, 174-B-279, 174-B-279, 174-B-149, 174-B-242, 175-C-21, 174-P-46, 174-F-263, 174-F-278, 174-N-297, 174-N-304, 175-B-106, 175-H-132, in the Thirteenth Ward of the City of Pittsburgh hereinafter referred to as properties."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bull
Mr. Coyne
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3637

An Ordinance entitled, "An Ordinance providing for a plan or process to involve minorities, women and veterans in major developments of three (3) or more acres of Two (2) Million Dollars or more in development and/or construction costs of lands or buildings under the jurisdiction of the Urban Redevelopment Authority of Pittsburgh and City of Pittsburgh, and a plan or process to retain businesses in the affected area."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Lally:

I will vote no on this bill and I would like my remarks from Wednesday's meeting to be incorporated in the minutes of this meeting.

MR. LALLY'S REMARKS FROM THE MEETING OF WEDNESDAY, AUGUST 1, 1979:

(STENOGRAPHER'S NOTE: Previous discussion between Mr. Givens and Mr. Robinson)

Mr. Bulls:

Mr. President, if I may say something. We went through this thing with PPG and I think it was this Council that instituted some type of language in the legislation that makes for minority women to be represented. We just went through this.

Mr. Lally:

This is only for the Urban Redevelopment Authority's property—Oxford Development is going to develop the property.

Dir. George:

The City of Pittsburgh opened up the property.

Mr. Lally:

We had plans as far as construction goes. The Pittsburgh plan is in operation now and that includes minorities and women both.

Michelle Madoff:

What percentage?

Mr. Lally:

The goals have been made; look at the record.

(Discussion between Director Stephen George, Mr. Givens and Mr. Robinson)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Michelle Madoff	Mr. Stone
	Mr. DePasquale
	(Pres't)

Ayes 7	Noes 1)MR. LALLY
	VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3678

Report of the Committee on Supplies for August 1, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3585

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing an delivery of a four wheel drive tractor for thhe Zoological Park Commission, and for the payment thereof."

Which was read.

Also,

Bill No. 3638

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing, delivery, and refurbishing of Emergency Medical Vehicles, for the Department of Supplies, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9	Noes none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. President:

Point of information Mr. President - when a Member of Council is called out of the room or has to leave the room, whether its myself or anybody else and they are not here to vote on the bills that are present at that time, can they come back and vote later, would it be in order?

Mr. Perry:

Yes.

Michelle Madoff:

Because I notice we don't do that. I know that Mr. Givens did vote against a bill on Wednesday and he was not in the room when it came up for a vote today. He may or may not want to keep that vote, but I think its important, when it is a very important vote such as that, they're on record.

The Chair:

The practice in the past has been that if there is a majority vote nobody brought it up.

Michelle Madoff:

No, I want to know whether, say if I happen to be called out on an emergency call, I had an emergency call from my daughter in Boston and if I had to leave the room and I come back and its passed, can I go back and vote?

The Chair:

You can vote on it.

Michelle Madoff:

Can Mr. Givens have that same prerogative and should it not be a prerogative, but should it be mandatory.

The Chair:

I say you can, but I say the reason it wasn't brought up before is because most of those votes were a majority vote where it didn't really make any difference, it didn't change the vote.

Michelle Madoff:

Is it in order for a Member of Council to ask a Councilmember if they were not in the room, how they would vote, or would they like to go on record on the vote?

The Chair:

Mike, point of order, I would say that you could vote even if you were out of the room at

the time, as long as you come back to vote in person.

Mr. Stone:

Mr. President, before we get into my problems on that, if they are not present there, at that time, for that vote, they lose the opportunity unless they reserve the right. We take recess at that time. You can't wait to finish something and have something change at the ene of the session. We don't have a problem — we ought to resolve that very clearly now. When it is called for a vote, you vote on it then or you lose your opportunity.

Michelle Madoff:

Mr. Stone, I think you know where I'm coming from. We had a big discussion the other day on a bill that Mr. Robinson introduced—

Mr. Stone:

No, I don't want to make it tie into any bill at all.

Michelle Madoff:

And, I think its important that all Members of Council be on record on that vote, on the final vote.

Mr. Stone:

But I don't want to get into any specific bill —

Michelle Madoff:

I do.

Mr. Stone:

All I'm saying is, when any subject is called up for a vote, you vote at the time its called for and if you're not there at that time, and the vote is decided, its decided.

Michelle Madoff:

That doesn't mean that you couldn't vote aye or nay and still go on record —

Mr. Stone:

If you don't reserve it at that time they

should not have the opportunity thereafter to vote.

Michelle Madoff:

May I ask the Parliamentarian, does that mean if you're going to leave the room, you say, I would like the opportunity to vote later, when I come in? I reserve the right to vote, or does it mean you've lost your vote, which is it?

Parliamentarian:

You must reserve your right to vote or else you lose your right to vote.

Michelle Madoff:

So that in other words if I had to leave the room for some reason, I could say, I reserve the right to vote and then come back, so that I would be on record on important issues?

Parliamentarian:

You must make your request of the Chair.

Michelle Madoff:

I wonder if all Councilmembers are aware of that? I certainly wasn't until now.

Parliamentarian:

They move to reconsider the vote.

Michelle Madoff:

I'm sorry, who would move? You mean I can move to do that, but if its a majority vote on it would there be any purpose to it except for the reason that I would like to know the person's vote on it. Is that a legitimate reason?

Parliamentarian:

I think the votes are recorded by the clerk.

Michelle Madoff:

It was a point of clarification, thank you.

Michelle Madoff presented

No. 3679

Report of the Committee on Water for August 1, 1979 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3577

A Resolution entitled, "Resolution amending Ordinance No. 451, approved August 20, 1975, entitled 'Providing for a contract or contracts for the relaying of a 36" transmission main water line at South 34th Street including the purchase of required materials, appurtenances, and other work incidental thereto, and providing for the payment of the cost thereof,' by decreasing the appropriation therein."

Which was read.

Also,

Bill No. 3578

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for professional engineering services in connection with the design of water line installation in the West End-Elliott section of the City; and a soil analysis study of the area involved and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3579

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive equipment, less trade-ins, for the Department of Water and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

Mr. President, I'm sorry to interrupt again, but on the issue before us with the information from the Parliamentarian, would it be in order then to request that on Bill No. 3637 that all comments from Wednesday's meeting be included as a part of the final record? That would take care of the problem. Either way I want my remarks included.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the motion?

Mr. Lally:

If she wants her remarks included she can do it herself.

Michelle Madoff:

I've already requested that.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion carry?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff
Mr. Robinson

Noes:

Mr. Bulls
Mr. Cooyne
Mr. Lally
Mrs. Masloff

Abstaining:

Mr. Given
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 2 Noes 4
Abstaining 3

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

MICHELLE MADOFF'S REMARKS ON BILL NO. 3637 (COMMITTEE ON PLANNING HOUSING AND DEVELOPMENT) FROM THE MEETING OF WEDNESDAY, AUGUST 1, 1979:

(Previous discussion between Mr. Givens, Mr. Robinson and Dir. George)

Michelle Madoff:

I think if we have a problem of this nature, we can derive from the people of this city because it would be very simple if you would hear to what Mr. Robinson is trying to do. This is not a big problem so until it is law it won't have any impact.

(Discussion by Mr. DePasquale, Mr. Robinson and Mr. Givens)

Mr. Robinson:

Mr. President, it was my understanding that all remarks were to be included, am I incorrect?

Mr. Perry:

That's what she wanted, all remarks.

Michelle Madoff:

Since it was voted down and Mr. Lally has requested that his remarks be included then I requested that my remarks be included.

Mr. Lally:

Good enough.

The Chair:

According to what you said, I thought that you requested yours and then Mr. Lally said you wanted everybody's remarks included—

Michelle Madoff:

I did sir, originally I asked for everybody's. I asked for everybody's because one of the members was not present and we didn't have this vote and I thought if we record all the comments from Wednesday that would take care of it and since that was voted down I'm saying that I would at least like mine included as Mr. Lally requested that his be included because otherwise it doesn't show on the final vote.

Mrs. Masloff presented

No. 3680

Report of the Committee on Parks and Recreation for August 1, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3581

A Resolution entitled, "Resolution providing for an Agreement or Agreements with architects, engineers, landscape architects or surveyors for professional services in connection with the design of Brookline Park and Pool and Northgate Park and Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

I would like to ask Mrs. Masloff a

question. Wasn't a part of this resolution that there would be just a basic schematic so that we could physically look at it like we do a zoning, it wouldn't just be a report to us on what they're doing but we'd actually see a physical layout of the plan?

Mrs. Masloff:

No, I don't know that that was included, but we will have some form of review, I don't know, that hasn't been worked out yet.

Michelle Madoff:

Well my concern was that, as I raised the issue the other day on the Schenley Park Pool, it was pointed out by the mothers that having the sandbox on one side of the adult pool and the wading pool on the other side was not in the most efficient way when you had more than one child to watch and that if we could see a drawing of it perhaps Council would observe that in the same way that we've had the bridges come before us now, the large bridge going across, and we were able to physically take a look at it and I wonder if we could just see a schematical rough drawing, I think that would be very helpful.

I'm not an engineer but I can see where our wading pool is in relationship to an adult pool, or whether an exhaust is in the right spot.

The Chair:

Will you look into that Sophie?

Ms. Masloff:

Al right.

Michelle Madoff:

I don't think that has to be done in the resolution, but I think perhaps in discussion we could get that taken care of.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 3681

Report of the Committee on Public Safety for August 1, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3554

A Resolution entitled, "Resolution creating a special trust fund for the receipt and disbursement of funds for training and related expenses for police recruits; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3682

Report of the Committee on Lands and Buildings for August 1, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3567

A Resolution entitled, "Resolution amending Resolution 926, effective October 11, 1977, entitled: 'A Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended, entitled "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds"', by reducing project allocation and transferring funds to the respective account."

Which was read

Also,

Bill No. 3568

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of overhead wires, cables, and one (1) anchor on City property, McKinley Park, 18th Ward."

Which was read.

Also,

Bill No. 3569

A Resolution entitled, "Resolution providing for a lease of certain property at South 4th Street and Bingham Street, 17th Ward, from M. Berger Land Company, for a term of three (3) years, for office space and the storage of vehicles of the Department of Environmental Services and warehouse storage for the Department of Supplies, upon

certain terms and conditions; providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

On Bill No. 3569, I had asked the question, as you know we're talking about something like \$400,000 over three years rent, whether we couldn't start looking or trying to buy our own building. I realize we're renting this space because at the moment there is nothing available.

However, the question came up as to a cancellation clause and nobody knew, if there was a cancellation clause -- what length of time and whether we were committed to three years. It appears that I subsequently heard we were indeed committed to three years but there was some kind of a cancellation clause. Supposing we find a building in six months or in a year and let's say it takes a year to get ready and we don't want the entire three years.

I can't vote on this bill until I get an answer to that. Do you happen to know, Mr. Lally, if there is a 30 to a 60 day cancellation?

Mr. Lally:

No, I don't Michelle, but I do know this, that we have investigated throughout the City with our appraisers, with our real estate department, and everybody in the Lands and Buildings Department looking for properties for this particular purpose for warehouse storage for our equipment and this was the only property that really suited our purpose at the time. Now, we leased it I think for a period of nine months at first for \$110,000 or something to that effect and then this is a renewal of that lease. They are still in the process of looking for buildings that are conveniently located here with our operations. So, I do not know if there is a cancellation in it.

Michelle Madoff:

But does everyone understand my dilemma? Supposing we find something and, the word I have is we are going to find something, I spoke to all the parties con-

cerned after the meeting, and what I want to know is are we locked into this even if we find something, and then lose the other building because we're locked into a three year lease. Could we hold it a week to find out what the situation is?

Mr. Lally:

Michelle I don't disagree in holding it, if you want to hold I'll show you the courtesy of doing that for you.

Michelle Madoff:

I realize we have to go with it there is nothing else, there is no other game in town at the moment. But, I'm just saying, if we do find something and there is really a concentrated effort being made to find something, are we locked into this lease?

And I understand that we are. And I think it should be re-negotiated so that we're not locked in.

Mr. Lally:

Does our Parliamentarian know whether there is a cancellation in this lease of any kind?

Parliamentarian:

I do not know.

The Chair:

If I can follow this, if we would put an amendment in to have the option, if we buy a building in the meantime, to cancel the contract. We then would have to go back to the other party and draw up a new contract. That fellow feels that he is going to get a three year deal and he has a lease for three years. We can't very well amend that contract until the City agrees to another contract.

Michelle Madoff:

Before we sign it we can amend it.

The Chair:

What you do is cancel the contract. Then you have to start all over again.

Michelle Madoff:

They'd sue you for three years.

The Chair:

Obviously the guy with a three year lease isn't going to accept an amendment wherein three months or four months the City can say we found a building and we're not going to pay any more rent.

Michelle Madoff:

Except that they would have a legally binding document we'd have to pay it whether we occupy the premises or not.

The Chair:

Possibly there's a clause like that in the contract.

Michelle Madoff:

Well, that's what I'm trying to find out, that's what I requested and I didn't get the information. This gets back to the original resolution on the old business. I did not get a chance to follow through on that particular item because I don't have enough staff or time to follow through in every Department on every item and if we had more staff maybe we could do it.

The Chair:

Have Mr. West up Wednesday and we'll ask hi to get on that. In the meantime, if Jim will make a motion --

Mr. Lally:

I'll pass it contingent on his statement on Wednesday, if his statement says we have a cancellation -- can I do that?

The Chair:

Why not just hold it?

Mr. Lally:

You want to hold it for a week? I can recommit it for one week.

Michelle Madoff:

Are we locked into signing, are we under pressure on time?

Mr. Lally:

I don't think we're under that much pressure.

Mr. Stone:

Mr. President, if I may, we've been looking for sometime, I know I took a couple tours and some of the others, probably Mr. Lally and those in that specific committee of buildings. They've been looking for this type of building for some time. They finally found the kind of building that is necessary and over this past year, probably year and a half there has been some talk, they're waiting for this finally so they can move into it. As a practical matter, if we were to start building a new building we'd never complete it within the three year period. As a practical matter if we were to find something else, its not likely it would be tailor made to fit the kind of needs that we have. Three years is not really a long time when you are talking about leasing a large building. I don't know whether the particular lease that they have negotiated has a cancellation clause. But, as a practical matter I don't think that three years is such a long period that we should be that concerned with it, but the fear I have is that we have been waiting for this building so long and right now they need to know so they can get geared up to get ready to go by October 1st because we started a building as I recall for the refuse people about five years ago.

Mr. Lally:

Bob, we are in the building. We've been in the building.

Michelle Madoff:

We are in the building, I was just there.

Mr. Stone:

Yes, but we've got to get this thing going because as I recall, he gave us some sort of time limit, either take it or out because he has to make some arrangements.

Mr. Lally:

We moved in last winter Bob and we used it all last winter.

Mr. Stone:

I don't mean that. If my memory serves me correctly we got into the building but there was a question now, are you either going to take it or not because he's got to look for another tenant.

Now this search for this kind of a building has not been something that has been easy. I recall the place in North Side -- what was the name of that building, Sophie?

Mr. Lally:

Canada Dry's building.

The Chair:

Bob, I know that Jim Lally along with Harold West and Paul Evers and --

Mr. Stone:

Three years is not a long lease.

The Chair:

Lands and Buildings did look for buildings that were suitable to buy and couldn't quite agree on one.

Mr. Lally:

We looked at every building in this City that was available and this was the only one we came across that could serve our purposes, we rented it from Mr. Berger for a nine month period with the understanding that we had an opportunity to renew it.

Michelle Madoff:

I think Mr. Stone's comments are well taken because certainly I wouldn't want to jeopardize the loss of the building if we were even say signing a year or a two year contract and you needed it for a third year and then he said, "Well, you didn't let me know so I've rented it to someone else." I did speak to the members of the departments who are out looking, they think they are going to find

something in a shorter period of time and I just wondered if something should be, perhaps we could vote on it but they should still look into the fact that we have some kind of protective option. In case we should find the right building would be we locked into it? Would you object to that Mr. Stone?

Mr. Stone:

I don't have any objections, I'm peaceful there.

Michelle Madoff:

That's a novelty.

Mr. Lally:

Let's pass it today.

Michelle Madoff:

I'll vote yes on this bill and I would like a review of this bill to see that we have some protective language if needed.

Also,

Bill No. 3570

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 3571

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of certain property acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3572

Resolution providing for the filing of a petition for the sale of certain property

acquired at a tax sale in accordance with Act No. 514 of 1947 as amended, located in the 13th Ward on Remington Avenue rear, designated as Block 232-D, Pt. of Lot 94, to Douglas O. Baskin for the sum of \$5,250.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented:

Bill No. 3683 Communication from Richard S. Caliguiri, Mayor informing Council of the appointment of Ronald C. Schmeiser of 5612 Aylesboro Avenue to the Board of the Public Parking Authority.

Which was read, received and filed.

Also,

Bill No. 3684

Communication from Richard S. Caliguiri, Mayor submitting the name of Richard Adams, Jr., of 1419 N. Homewood Avenue as a member of the Human Relations Commission for a term to expire in July of 1982.

Which was read, received and filed.

Also,

Bill No. 3685

Resolution approving the appointment by the Mayor of Richard Adams, Jr., of 1419 N. Homewood Avenue as a member of the Human Relations Commission for a term to expire in July, 1982.

Which was read.

Also,

Bill No. 3686

Communication from Richard S. Caliguiri, Mayor, submitting the name of Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire in March, 1980.

Which was read, received and filed.

Also,

Bill No. 3687

Resolution approving the appointment by the Mayor of Mr. Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire in March, 1980.

Which was read.

Also,

Bill No. 3688

Communication from Richard S. Caliguiri, Mayor, submitting the name of Robert Lurcott of 7401 Ben Hur Street as a member of the Historical Review Commission.

Which was read, received and filed.

Also,

Bill No. 3689

Resolution approving the appointment by the Mayor of Robert Lurcott of 7401 Ben Hur Street as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3690

Communication from Richard S. Caliguiri, Mayor, submitting the name of Ralph Alster of 4716 Ellsworth Avenue as a member of the Historical Review Commission.

Which was read, received and filed.

Also,

Bill No. 3691

Resolution approving the appointment by the Mayor of Ralph Alster of 4716 Ellsworth Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3692

Communication from Richard S. Caliguiri, Mayor, submitting the name of Paul Brophy of 3183 Shady Avenue as a member of the Historical Review Commission.

Which was read, received and filed.

Also,

Bill No. 3693

Resolution approving the appointment by the Mayor of Paul Brophy of 3183 Shady Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3694

Communication from Richard S. Caliguiri, Mayor, submitting the name of Arthur Ziegler of 904 Cedar Avenue as a member of the Historical Review Commission.

Which was read, received and filed.

Also,

Bill No. 3695

Resolution approving the appointment by the Mayor of Arthur Ziegler of 904 Cedar Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3696

Communication from Richard S. Caliguiri, Mayor, submitting the name of Joan Davis of 1368 N. Sheridan Avenue as a member of the Historical Review Commission.

Which as read, received and filed.

Also,

Bill No. 3697

Resolution approving the appointment by the Mayor of Joan Davis of 1368 N. Sheridan Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3698

Communication from Richard S. Caliguiri, Mayor, submitting the name of David Miller of 515 Grandview Avenue as a member of the Historical Review Commission.

Which was read, received and filed.

Also,

Bill No. 3699

Resolution approving the appointment by the Mayor of David Miller of 515 Grandview Avenue as a member of the Historical Review Commission.

Which was read.

The Chair:

Is there any discussion on the appointments?

Mr. Coyne:

Mr. President, it appears that all of those appointments are to the Historical Review Commission except Mr. Schmeiser to the Parking Authority?

Mr. Lally:

Yes, and Terry Woodcock to the Human Relations Commission.

The Chair:

Woodcock is to the Human Relations Commission, none of them are really important outside of the Human Relations Commission.

Mr. Coyne:

I would move that we hold, or that we hold at least the Parking Authority --

Mr. Perry:

There is no vote taken on the Parking Authority.

Mr. Coyne:

...and the Human Relations appointment. It really baffles me that the Administration would send over appointments on a day that they know that we customarily take two weeks for appointments, and that Council is in its recess beginning Monday

Michelle Madoff:

And we've been getting mail Mr. Coyne, saying, "when are you going to appoint the people to the Historical Review Commission" because they are held up in their efforts.

The Chair:

For whatever reasons, we do recess within a week, is it the pleasure of Council to -- I think there is a two week waiting period, reduce it to one so we can vote on these appointments next Monday before we do recess?

Michelle Madoff:

May I ask a question? Other than one

person, I am familiar with everybody that has been nominated except for one name. I know that Mr. Miller is Environmental Control for J&L and he has been very active in the Incline, I think if you read that you will find that to be true.

We know Mr. Schmeiser is an accountant with Touche & Ross.

I'm just concerned about holding up the people.

The Chair:

I don't think there is any problem with who they are, as Mr. Coyne said, I bear him out, its strange that they would send over the requests knowing that within a week we recess.

Mr. Stone:

I move that all parties come in on Wednesday for a review at our Committee meeting for a possible vote next Monday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Lally:

Do we vote on the Paring Authority?

Mr. Perry:

On the Parking Authority, this is the Mayor's appointment and Council has no action on it.

The Chair presented

Bill No. 3700 WHEREAS, in February of 1979, after 32 years of dedicated service Thomas Fagan retired from his position as President of Teamster's Local 249 and;

WHEREAS, Mr. Fagan also served as President of Teamster Joint Council #40 from 1972 until his retirement; and

WHEREAS, in 1968 the citizens of Pittsburgh elected Mr. Thomas Fagan to represent them as a member of Pittsburgh City Council where he served until 1973.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh hereby recognizes Mr. Thomas Fagan for his 32 years of distinguished service as President of Teamsters Local 249, including his seven years as President of Teamsters Joint Council #40, and his four years as a Member of Pittsburgh City Council where he displayed sincere dedication in cultivating high social and moral standards not only in the field of labor but throughout the City of Pittsburgh.

BE IT FURTHER RESOLVED, that this Council wishes to thank Mr. Fagan for his dedication, devotion and service to the ideals of labor and to the citizens of Pittsburgh and wish him a happy retirement.

Which was read.

Mr. Givens moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

The Chair:

I would be remiss if I failed to mention that on Sunday they are having a banquet for Tom at the Hilton Hotel and I have the honor of presenting that resolution in person. I think some tickets are available if anyone wants to buy them and go.

Tom served on Council I believe four years. I know I served two years with him and I want to say that in that short time I grew very fond of him and he was a great Councilman as far as I am concerned and I was sorry to see him leave even though his shoes were filled by Bob Stone who has done a very credible job. But, Tom was an asset to Council and for some reason he chose to go off and is now retired from the Teamster movement and they are having a banquet to honor him this Sunday night.

Mr. Robinson:

Mr. President, I just have two quick concerns if I might -- in light of the current concern throughout the country and particularly

in our City relative to the conversion of rental housing units into condominium apartments, I would like to encourage this Council to request of Directors Brophy and Lurcott, Housing Director and Planning Director respectively, that they present to Council upon our return from recess a report on Conversion of rental units into condominiums and the relationship of this trend to the City of Pittsburgh's Housing Program.

With the high percentage of rentals in our City I think this matter should be addressed post haste and as a Post Agenda item upon our return.

The second concern, Mr. President, I would like to request that the City Clerk forward a letter to the City Solicitor and the Director of Lands and Buildings requesting that they pursue with the Kingsley Association the possibility and feasibility of the City of Pittsburgh acquiring property in the 12th Ward formerly containing the Kingsley House building. The Kingsley Association has expressed interest in relinquishing their interest in the property so that the property can be used for some community purpose yet to be determined.

Perhaps we can assist in that process by taking title to the land on a temporary basis. Hopefully all possibilities will be explored.

Mr. Stone:

Mr. Robinson, only one thing -- I think we have a study going through Parks and Recreation on that. In line with your resolution. We should be getting back a report on that thing now. If you will recall, there was at least a little more cohesiveness in the community the last time we talked to Louise Brown and we have some monies here already for that study. So, it's all in line with what we are doing.

Micheelle Madoff:

Mr. President, I have a very serious matter to bring before Council. On my answering service over the weekend I received a call without a name and I subsequently was contacted by Channel 2 T.V. and this morning Channel 2 and myself went down to the garage, where the refuse cars are repaired.

It appears that three gentlemen by the names of Charles Lewendowski, William Adrien and Timothy Arlett - Mr. Charles Lewendowski is here, if any Member of Council would like to speak with him afterwards, or if at your discretion wish to ask him questions presently - it appears that because of the backload of garbage piling up, I know Mr. Givens complained it was six or seven weeks. Has yours been picked up yet Dick?

Mr. Givens:

Yes, but Polish Hill hasn't been picked up for three weeks and I've been getting a lot of calls on that.

Michelle Madoff:

And I had a call from somebody in the Lawrenceville area that it has been seven or eight or ten weeks in their area, I reported that this morning, that s Holmes, Carnegie and Keystone. Complete blocks not being picked up.

We went down to the garage because it appears that the gentlemen were told when they showed up on the first and second of August, that was if you recall, Wednesday and Thursday, I remember because its my birthday, the second. Wednesday and Thursday they were reported to the garage and were instructed to take out the old Pa Pitt open trucks with expired stickers. The stickers were #4, they had expired at the end of the year and that because of the backlog they were told to take the vehicles out. The gentlemen did on the first and second. On the third, they called the Sate, I guess licensing or, I don't know what the body is called, check that out, and the gentlemen asked the question, he is here, Mr. Lewendowski asked the question, he said, "I'm not giving you my name and I don't want to tell you the company I work for, but if I take a truck out, who is responsible is it the company I work for or am I responsible?" He was told that he indeed was responsible for the fine, he would be guilty and it would go on his permanent record.

Subsequently, on the third, which was Friday, the men went into the garage and refused to take out a truck that did not have a proper sticker on it, because as you know

we've had enough accidents, we all know the condition of the fleet, and to take out a non-inspected truck would really be suicide. They were told that if they wouldn't take out the truck they were to go home and there was no work for them and they were not paid.

They came in today and were told that if they weren't willing to take out an uninspected car hey were to go home and would not be paid. They were told if they showed up tomorrow and were not willing to take out an uninspected car with a #4 sticker, not only would they not be paid and sent home, but they would be penalized. I think suspended is the word, and I believe, we don't know if its an indefinite suspension or three days.

I checked on this because I had an anonymous call, I didn't know where the truth lay, I spoke to Harrison Lee, and said, "Mr. Lee is this indeed true?" and Mr. Lee, with Channel 2 present while I spoke to him said, "Yes, indeed, this is true." I said, "Who ordered you to send these men out with these trucks?" He said, "Mr. Norman Walker." It appears he is a Safety Director down at the garage. I don't know his name - do you recall his name?

Mr. Lewendowski:

Mr. Beasley.

Michelle Madoff:

Mr. Beasley, when he was asked, why are you sending us out? Are these lives expendable? He said, "You've gotta go, I have no control over it." I think this is a very serious matter to bring before Council. May I remind everybody, the accident rate has tripled, we are self-insured, there is enough hardship on the men, we have enough liability and compensation, we don't need to send people out, no matter how far back we are, or backloaded in garbage that hasn't been picked up, I think that Council ought to lend its weight in support of these three men so they are not suspended and indeed are paid for the time that they have been put out -

Mr. Robinson:

Point of order Mr. President. Mr. President this is the second time that

someone within Environmental Services has taken it upon themselves to circumvent the normal process to bring a matter to Council. I don't see where this serves the best interest of the City or the persons involved to get this Council involved in their personnel matters. I remember when there was some concern about Mr. Miller and the manner in which he was handling his personnel problems in the Water Department. We tried to give all due respect to Mr. Miller and the individuals involved. I'm just afraid that we might be setting a very dangerous precedent. Not only has Mr. Lewendowski, and I hope I pronounced his name correctly, come before Council, but I believe some of his remarks are on the record. I would hate to think that any personnel matters that we have in the future would have to go this route and I don't think it is serving anyone's interest to discuss this kind of matter in a public form of this type without knowing all the circumstances around why the supervisory did what he did, or why Mr. Lewendowski did what he did.

Again, I would like to caution us to separate issues - the issue of collecting the refuse is separate from the issue of the trucks being inspected and it is probably separate from Mr. Lewendowski following or not following the orders of his supervisor. I just have some real serious reservations about continuing this discussion in this form.

Mr. Bulls:

Mr. President, I agree

The Chair:

I would agree with you Mr. Robinson and Mr. Bulls, this is a rather serious charge, its allright I think to bring them out at this time but to go into detail is something else because if they are substantial they are serious and if they are not then we are jeopardizing a man's whole career.

Mr. Bulls:

We arrived at the Refuse Department about 4:30 A.M., and we found the trucks a year and a half ago as they are now and the thing that bothered me also, I just wondered, where Mr. Harrison Lee is right now, if the young man is in the back, I feel it is only appropriate that Mr. Lee should be here himself.

The Chair:

I think that the fact of what Mr. Robinson said, if we are going to go any further we should call all the parties in and it should be done at a special hearing rather than in Council's session.

Not to dispute your right to make the charges.

Michelle Madoff:

May I respond to that? Channel 2 got the call, I got the call, its going to appear on Channel 2, if I had not raised it today, they spent two hours down there. There is no question, everybody admitted that this was the fact. I think it would be in very poor taste if I knew about it and did not bring it to Council and the information that I know and just turn on the news and hear it.

I think that I took the time, not to take anybody's word and go and check. I checked with a young woman at the office, I checked with Mr. Harrison Lee, I really believe that had the Mayor not been on vacation, or Mr. Richard Cohen been on vacation, they would never have authorized this. I believe that sincerely.

I don't know how it happened, I think we darn well better find out how it happened because what good is it to a family if a man is killed in a vehicle that isn't even inspected?

A car came in while I was there, sort of a van that transports the men back and forth from the 29th Street garage to the 5th Street garage on the South Side and it was in violation and had a sticker on it. Obviously the accident or whatever happened to that door happened after the inspection.

I just think we have to have a higher regard for the life and security of the men who do this work, which is not the most pleasant. And, I think if they cannot come to Council and I think that personalities aside, I do my homework and I did check on the Mr. Charles Lewandowski did file a grievance on Friday, I have a copy of the grievance which I distributed to everybody. If we don't stand behind the workers, and I do think as Mr. Robinson said, we should get the facts, but if we don't stand behind people who are being, I'm sorry to use the word, but

being, I'm sorry to use the word, but I have no other word, blackmailed, that if they don't take out a truck they won't work, then we aren't worth being elected.

The Chair:

Let me say again, these are very serious charges and I think we ought to, not to belabor the point and if we are going to have a hearing on the matter we'll do that, but I think we should—

Michelle Madoff:

Where would the hearing take place?

Mr. Lally:

Mr. President, I would presume that this Charles Lewendowski is a member of Local Union 609, the Refuse workers, and he certainly has a right—you're not?

Mr. Lewendowski:

No sir—

The Chair:

Let's wait for the hearing—we'll get to that.

Mr. Lally:

I'm sorry, okay—but still he would be covered under his rights under the union contract for grievance procedure or grievance hearings to be held at which time Mr. Lee will be there and also everybody involved in the case and I think he'll get his just due at that time. So, he is covered under this grievance that he has written now.

Michelle Madoff:

I think it is the responsibility of any Member of Council, if they are aware of any problem of this nature, of this seriousness, to bring it before the other Members of Council—

The Chair:

We don't do any justice to Director Norman Walker at all, the man is not here, accusations are being made, I think those ac-

cusations should be made face to face at a hearing and this is not the place. You continue to say that Mr. Walker ordered—

Michelle Madoff:

But the man has to go to work and earn a living tomorrow.

The Chair:

Its Mr. Walker's word against this gentlemen here. I personally don't want to get into this.

Mr. Lally:

There are procedure to take.

Mr. Stone:

Mr. President, if I may, I believe Mr. Robinson makes a valid point about the individual situation. Mr. Lewendowski may very well have a meritorious claim, but I think that there is a form set up for that. I don't think that City Council should get into the day to day kind of matter, and if we separate issues, I think we might arrive at a way to handle this thing. The allegation is that the vehicles have not been inspected yet. Not only is that a violation of the City of Pittsburgh's rules and regulations, its in direct violation of the Commonwealth of Pennsylvania's Motor Vehicle Code, to have any vehicle which is not inspected on the highways.

I would suggest at this time, that a letter go out to all Directors in the City of Pittsburgh directing them that no vehicle of the City of Pittsburgh should be on the highways of the City of Pittsburgh or the Commonwealth of Pennsylvania which do not have a current and valid State inspection sticker, and that all of them understand that, that way we can solve the problem hopefully that it will not happen again.

This is not the first time, in fairness, that this matter came up. If you will recall, there was the fire vehicle which was carrying the fuel to the fire which actually had a bad door or something, that's been about a year. So, this may be coming up right around inspection time. But, I think that letter ought to go out immediately to all the Directors

relative to this matter, I think that rather than getting both sides or a half of a side, that the affected parties, if we do anything, ought to be here. I personally would prefer that they go through any process that is properly allowed for, and it looks as though that is not being upheld and that it is kind of a general policy, then I think it should be heard by City Council probably in a Wednesday session with everybody involved present rather than someone quoting what they said or did not say.

I think that it is just a matter of kind of an orderly way of handling it rather than anything else. I suggest the letter go out immediately. If there are vehicles again in violation I think that ought to be stopped and every Director ought to be put on notice and and special letter to Mr. Yatch indicating that he or his department personally place a red tag on every vehicle that has not been inspected.

Michelle Madoff:

I was down at the garage, there are four trucks, or three, I believe that have the #4 stickers. Fortunately, I believe they are not out today.

I really feel that somehow or other, as elected officials we have to stand on the side of justice. It isn't always correct to take the easy way out and say, "Well, there is due process", and "It'll be taken care of in due course". I personally would like to see Mr. Harrison Lee, Mr. Norman Walker, and the Safety Director, whose name I've forgotten, come before Council on Wednesday and explain how on earth they threatened these men by telling them if they didn't take them out they would be suspended. They admitted it to me, I spoke to him personally.

Mr. Robinson:

Mr. President—point of order—

Michelle Madoff:

My word is as good as their word.

Mr. Robinson:

Mr. President, I think we are getting into some very dangerous areas, I hope Mr. Lally

agrees with me, as one who has gone through a lot of negotiations, we do have collective bargaining agreements, and most of our union representatives do their best to live by these and I think we ought to honor that. Anything that is done should be done with all due respect to the collective bargaining agreement between the City of Pittsburgh and 609. If we get in here and start trying to negotiate and start putting pressure on, I'm afraid we're going to have a worse situation than we have. That's why we have the oral procedures Michelle, not to deny anyone their legal rights, but to have an oral process so that the people can have their rights adjusted. I think Mr. Lally would jump through the ceiling if this gentleman was a steam-fitter and I suggested to him that we call the parties in Wednesday and start trying to resolve a union problem. I don't want a fight with the unions and I don't want to fight with Mr. Lewendowski or anybody. Understand—let's not get into a labor dispute. Some of these contracts are coming up this coming year—

Michelle Madoff:

This is not union.

Mr. Robinson:

You want to bet? If you call this meeting I can guarantee you are going to have trouble with the Teamsters.

Mr. Coyne:

Mr. President, as Chairman of the Environmental Services Committee, and being that it has been indicated that Mr. Walker and others in the Refuse Department have advocated this policy, I think it only right to give them an opportunity to come up here and explain their side of the situation on Wednesday. Mr. Walker will be here, nonetheless, whether we call him or not because he has legislation on the agenda and I think we ought to talk to him at that time.

Michelle Madoff:

I would support that—

The Chair:

One exception Bill, I think Mr. Robinson

has a good point, if Mr. Walker doesn't want to come, I don't think we can force him—

Mr. Coyne:

Well, if Mr. Walker doesn't want to come, let him have the opportunity to tell us, I think Mr. Walker will very well want to come

Michelle Madoff:

And Harrison Lee and the Safety Inspector and who handles the CETA employees, they are not a member of a union.

Mr. Lally:

That matter, there is no trouble there because they are still covered under the collective bargaining agreement. Councilman Robinson is 100% right. There are procedures to take under the collective bargaining agreement and this is what the procedure should do. File the grievance and then have the hearing on the grievance.

The Chair:

I have also found from experience that agreements made in collective bargaining supercede access of City Council.

Mr. Lally:

Absolutely.

The Chair:

In regards to sick leave and some other things So we're getting into very, very dangerous water and I think it ought to be—

Mr. Robinson:

I second Mr. Stone's motion concerning the letter to all department heads

Which motion prevailed.

Michelle Madoff:

Mr. President, I'm a little bit confused—

The Chair:

You're not on the same point are you Michelle?

Michelle Madoff:

Yes, I am.

The Chair:

Well then you are out of order.

Michelle Madoff:

Okay.

Mr. Robinson moved to approve the minutes of Monday, July 23, 1979 and Monday, July 30, 1979.

Mr. Coyne seconded the motion.

Michelle Madoff:

With a correction—I don't know who took the minutes on th 23rd of July, but on page 511, the third sentence, I didn't say public, I think the word should be which, I don't recall. Thank you.

Which motion prevailed.

Mr. Stone:

Mike, next Monday is the last session we have, right? Can you check now if there is any—well, maybe we need a general kind of resolution here—to see if there is anything that needs a waiver of Rule 8 so that everything that comes up Wednesday is approved for a final so that we won't leave any bill hanging out.

Mr. Perry:

I think they will all be coming up on Monday.

Mr. Stone:

Are you sure?

Mr. Perry:

Yes.

Mr. Stone:

What I was going to suggest is that I make a motion that any bill which is not covered, we waive Rule 8 on it so it comes up on Wednesday.

Mr. Perry:

Okay.

Mr. Stone:

Mr. President, if I may, on any bill that may not be covered by waiver or Rule 8, through some error, has not been covered, I would move that any bill that need be, that I waive Rule 8 on those bills so they come up on Wednesday and for final action on the following Monday.

Mr. Robinson seconded the motion.

Which motion prevailed

Michelle Madoff:

Mr. President, would it be in order to get a show of hands as to whether we'll have a quorum that day in case some people can't make it, it being so close to the time we go on vacation?

The Chair:

They know now, so they'll be here, I don't think a show of hands is necessary.

Mrs. Masloff:

I move to adjourn this meeting and meet again next Monday, August 13, 1979 at 10:00 A.M.

Mr. Stone seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, August 13, 1979

No. 34

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAVY Ass't City Clerk

Pittsburgh, Pa.
Monday, August 13, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

ABSENT:

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 3702 Communication from Ed DeLuca, Director, Department of City Development requesting permission to attend meeting of the Council for Economic Development in Washington, D.C., Sep-

tember 12 and 13, 1979 at a cost not to exceed \$210.00 chargeable to and payable from Code Account No. 1900-1, Miscellaneous Services.

Which was read and approved.

Mrs. Masloff for Michelle Madoff presented

No. 3703 Communication from John C. Miller, Director, Department of Water requesting interim approval of payment for the rehabilitation of the air conditioning system and the Water Treatment Plant, cost not to exceed \$20,000, chargeable to and payable from WD-79-14, "Building Structures, Emergency Repairs."

Which was read and approved.

Mr. Lally:

Is that on the units in the Filtration Plant itself, or is it --

Mr. Perry:

I believe that is a whole new system.

Mr. Robinson presented

No. 3704 Communication from Lawrence Yatch, Director, Department of Supplies requesting interim approval to accompany members of ComPEP Committee to Phoenix, Arizona, August 13 through 15, 1979 to review fleet management and purchasing procedures used by that City. Cost not to exceed \$555.00.

Which was read and approved.

Mr. Givens:

Is that a trip he made?

Mr. Perry:

This is a trip he wants to make.

Mr. Robinson:

If I might, Mr. President, prior to our discussions last week on the fleet, I had occasion to go out with Director Yatch to our facility and look at some of our automotive problems. At that time we had met with some of the people from the ComPEP Committee and they had already made arrangements to go to Reno, Nevada and to Phoenix to look at the automotive systems there. Phoenix has perhaps the best system in the world in terms of handling their automotive problems. They suggested that Director Yatch accompany them. He asked me at that time if I thought he could get approval for that and I told him to go ahead and make the request because I thought it was very timely.

Mr. Coyne:

Is this expense for Director Yatch or is this for the members of ComPEP?

Mr. Robinson:

This is only for Director Yatch, he is going to be going with the members of the ComPEP Committee and their expenses are being paid through other sources. This only pays for his expenses.

Mr. Stone presented

No. 3705 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission requesting interim approval for Albert Schempp, Assistant Director to travel to Regional Training Center of the U.S. Office of Personnel Management in Philadelphia on August 23 and 24, 1979 for technical assistance regarding Affirmative Action/EEO training. Cost not to exceed \$250.00.

Which was read and approved.

UNFINISHED BUSINESS

The Chair presented

Bill No 3685

Resolution approving the appointment by the Mayor of Richard Adams, Jr., of 1419 N. Homewood Avenue as a member of the Human Relations Commission for a term to expire in July of 1982.

Which was read.

Also,

Bill No. 3687

Resolution approving the appointment by the Mayor of Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire in March of 1980.

Which was read.

Also,

Bill No. 3689

Resolution approving the appointment by the Mayor of Robert Lurcott of 7401 Ben Hur Street as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3691

Resolution approving the appointment by the Mayor of Ralph Alster of 4716 Ellsworth Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No 3693

Resolution approving the appointment by the Mayor of Paul Brophy of 3183 Shady Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3695

Resolution approving the appointment by the Mayor of Arthur Ziegler of 904 Cedar Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3697

Resolution approving the appointment by the Mayor of Joan Davis Ivey of 1368 N. Sheridan Avenue as a member of the Historical Review Commission.

Which was read.

Also,

Bill No. 3699

Resolution approving the appointment by the Mayor of David Miller of 515 Grandview Avenue as a member of the Historical Review Commission.

Which was read.

Mr. Stone moved for approval on all candidates.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes None

And a majority of the votes of Council being in the affirmative, the appointments were approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3706 Reports of the Committee on Finance for August 8, 1979 transmitting one ordinance and sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3610

A Resolution entitled, "Resolution repealing Resolution No. 347, effective April 19, 1979, entitled, 'Authorizing the issuance of a warrant in favor of Noralco Corporation, in the amount of Sixty Six Thousand (\$66,000.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Herron Avenue Bridge, Phase I - Demolition, without previous authority of law; and providing for the payment thereof'."

Which was read.

Also,

Bill No. 3611

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account No. 10, Accounts Payable, Prior Years to Code Account No. 42, Contingent Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also.

Bill No 3628

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Federal Pump Corporation, in the amount of \$2,899.00 for duplex sewage pump unit needed for emergency repair at the Public Safety Building, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No 3629

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Honeywell, Inc., Commercial Services, in the amount of \$925.32, for emergency repairs to the Master Fire Alarm System at Allegheny Regional Branch, Carnegie Library and Pittsburgh Public Theater Building, without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3635

A Resolution entitled, "Resolution amending Resolution No. 626, approved July 9, 1979, effective July 11, 1979, entitled, 'Authorizing the issuance and payment of a semi-final estimate to Joseph B. Fay Company, in conjunction with the construction of steam line between Phipps Conservatory & Bellefield Boiler Plant - Controller's Contract No. 23150-F, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent'."

Which was read.

Also,

Bill No. 3639

A Resolution entitled, "Resolution transferring the sum of Fifty Thousand (\$50,000.00) Dollars from Code Account No. 1174. Rental of Equipment, Department of Environmental Services, to Department of Supplies, various code accounts, and the sum of Two Hundred Forty-Eight Thousand (\$248,000.00) Dollars from Code Account No. 1154. Motorized Equipment, Department of Supplies to Department of Supplies, various code accounts as listed below."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3641

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Equitable Gas Co., in the amount of \$3,168.00 in payment for space heaters furnished for the benefit of the City in connection with operations of the Housing Clinic; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3642

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Golden Rule in the amount of \$654.00 in payment for work performed at the City Controller's Office furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3643

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the General Fund in the amount of \$74.58 as reimbursement for monies inadvertently deposited into the Senior Citizen Program Trust Fund (SCPTF). This payment to be

chargeable to and payable from the SCPTF, Pittsburgh National Bank STF #2."

Which was read.

Also,

Bill No. 3644

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1979 Police Officer Entrance Examination on August 30, 1979 and providing for payments thereof."

Which was read.

Also,

Bill No. 3645

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reed and Witting Company in the amount of \$600.50 in payment for the printing of Police Officer recruiting posters rendered in connection with the Department of Personnel and Civil Service Commission's Pittsburgh Police Officer recruiting campaign, furnished for the benefit of the City without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally

Also,

Bill No. 3646

A Resolution entitled, "Resolution transferring \$8,000.00 from Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer to Code Account No. 40, Interest on Tax Refunds, Department of City Treasurer."

Which was read.

Also,

Bill No. 3647

A Resolution entitled, "Resolution transferring the sum of \$3,000.00 from the Department of Personnel and Civil Service Commission Code Account No. 1100, Miscellaneous Services to Department of Personnel and Civil Service Commission Code Account No. 1101, Supplies."

Which was read.

Also,

Bill No. 3648

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with various hospitals and/or physicians to increase the authorized amount from \$50,000.00 to \$69,000.00 for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion."

Which was read.

Also,

Bill No. 3649

A Resolution entitled, "Resolution providing for a Supplemental Agreement with Psychological Service of Pittsburgh to in-

crease the authorized amount from \$55,000.00 to \$8,000.00 for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations."

Which was read.

Also,

Bill No. 3650

A Resolution entitled, "Resolution providing for the lease of the Civic Arena from the Public Auditorium Authority of Pittsburgh and Allegheny County from 2:00 P.M. to 11:00 P.M., August 30, 1979 at a rental of \$2,000.00 for the administration of the 1979 Police Officer Entrance Examination and for other public purposes, upon certain terms and conditions; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3651

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America Equal Employment Opportunity Commission for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract or Contracts and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 3659

A Resolution entitled, "Resolution transferring \$40,000.00 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees to Code Account No. 1443-6, In-Grade Pay, Department of Police."

Which was read.

Also,

Bill No. 3660

A Resolution entitled, "Resolution transferring the sum of \$265,000.00 from Code Account No. 1461, Salaries-Wages/Regular and Temporary Employees as follows to the following Code Accounts within the Department of Fire: \$200,000.00 Code Account No. 1461-1, Premium Pay; \$65,000.00 Code Account No. 1461-2, In-Grade Pay."

Which was read.

Also,

Bill No. 3662

A Resolution entitled, "Resolution transferring the sum of (\$80,000.00) Eighty Thousand Dollars from Code Account No. 1167, Wages, Regular Employees, Department of Environmental Services to Code Account No. 1168, Wages, Vacation the sum of Fifty Thousand (\$50,000.00) Dollars and to Code Account 1167-1 Premium Pay for the sum of Thirty Thousand (\$30,000.00) Dollars, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question. Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3668

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$1,197.67 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law and for the payment thereof."

Which was read.

Also,

Bill No. 3669

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Keystone Diesel Engine Company, in the amount of \$5,627.25 in payment for specialized emergency work needed to repair certain City vehicles and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question. "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8 Noes None

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3670

An Ordinance entitled, "An Ordinance amen-

ding the Pittsburgh Code, Chapter 719 - Vendors and Peddlers, Sections 719.02, 719.03, 719.05, 719.06."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

On Bill No. 3670, I had a legal opinion come up on this and I don't know what the sponsor of the bill wants to do. Do you want the bill to go forward?

Mr. Robinson:

I have an amendment Mr. President. Section 719.03 in response to Treasurer Donahoe's concern about the language and the ability of his office to administer a portion of this legislation. I would like to change part (e).

Mr. Givens:

Can we go down through the bill chronologically? Is this (e) in 719.03?

Mr. Robinson:

Yes, that is what my amendment is on.

(e) I would like to have changed to read: "proof of registration for City Business Taxes and clearance that all taxes are paid to date."

Every Member of Council received a copy of this memo from Treasurer Donahoe. He had some difficulties with the language as is presently structured, so I would like to make that amendment.

That is instead of what is presently in (e), I would like to include proof of registration for City Business Taxes and clearance that all taxes are paid to date.

The Chair:

You say include, or eliminate the old (e)?

Mr. Robinson:

Eliminate what is in there now and replace.

The Chair:

Then your amendment is a brand new paragraph?

Mr. Robinson:

Right.

Mr. Stone:

Its on page 2.

The Chair:

I have it here, validated Business Tax receipt...

Mr. Robinson:

Right, take all of that out and replace that with what I stated.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Givens:

Now, on the other parts of the bill, in the letter from Mr. Dan Pellegrini in the Law Department, indicating that there is apparently certain violations of the state law in Section 719.02 (b) and (c) and also over in 719.05 and in the contents of what that was to do. My recommendation would be to recommend the bill and have it either further amended or discuss the points that the legal counsel brings up in his letter to the Council.

Mr. Robinson:

I would just like to indicate that in 719.02 (c) that portion of the bill basically is the same as the previous portion, so if there was any violation of City law it was there for a number of years.

I disagree with Mr. Pellegrini, even though I have not been privy to his observations relative to this, I believe that

there is no legal problem with this particular ordinance.

Mr. Given:

Well, let's go up to (b), I think is the first one there, (c) he just indicates that the veterans can do it as long as they're honorably discharged and they are disabled veterans and that is again, I guess, we are getting into state law, but --

Mr. Robinson:

What would be the violation of state law?

Mr. Lally:

Why don't you give him a copy of that?

Mr. Given:

I'm sure everyone received a copy of this, I received a copy of it.

Mr. Robinson:

I did not receive a copy Mr. Given.

Mr. Given:

It's dated the 9th of August, 1979.

Mr. Robinson:

I don't have it Mr. Given.

Mr. Given:

If you didn't receive it Bill, I'm sorry, I thought you were cognizant of the fact of what the Legal Department had, they had great reservations on 719.02 (b), (c) and --

Mr. Robinson:

What is their reservation on (b) Mr. Given?

Mr. Given:

Well, if you haven't read the thing --

Mr. Robinson:

No, I'm asking you. You evidently are

explaining what the Law Department said.

Mr. Given:

Let's see how it was addressed, maybe it was only addressed to me. Honorable President and Members of Council, so everyone got a copy of it.

Mr. Robinson:

I did not get a copy of that Mr. Given, I wish you would quit saying that.

Mr. Given:

Okay, maybe the Chief Clerk can give you a copy.

The Chair:

Wait a minute, are you talking about 719.02 (b) a license is required for the sale by a farmer, agent, employee. . . food products produced by such farmer -- what is really the problem there?

Mr. Stone:

I don't see a legal problem there, you may not want to tax --

Mr. Given:

Well, for example, in Section (b) of 719.02, the bill provides for the licensing of farmers who vend and peddle their own produce. Section 1 of the Act of April 22, 1903, "it shall be unlawful for any borough or city of this Commonwealth to collect any money or taxes or license fee from any farmer who sells his own produce in or about the streets of any borough, city or commonwealth." That's the point I brought up last Wednesday that the Farmer's Market, and people coming in and vending their produce is something that has a great hardship and handicap on the people that coming down to do that.

Section 719.02, "the City provides for the issuance of a free license to veterans." While the present provision applies only to disabled veterans is what they indicate in there and they indicate honorably discharged, and you have to so specify that.

Then it gets down to 719.05, the most

serious legal objections to the proposed bill is the provisions contained in 719.05, the use of streets which would permit vendors to have stationary locations and he quotes a particular case and the public right-of-way in the streets of the cities are required as an exclusive possession of the municipalities which may authorize the use of the sidewalk as well as the streets for any public service without further compensation to the abutting low owner, however, a purely private use of the public highway with no responsible benefits to the public, generally, not only maybe prevented by the municipality, but is not even permissible and he indicates moreover, Manlin provides that a vendor may not occupy a stationary location without first obtaining permission from the abutting property owner.

In summary, he says, Section 719.02 (b) of the bill violates the Act of April 22, 1903, P.L. 258; and then Section 719.02 (c) of this bill violates the Act of April 8, 1867, P.L. 50, as amended and Section 719.05 is contrary to the holding of the state's highest court in a particular case that he so mentions.

The foregoing comments are addressed only to the lgal problems presented by Bill No. 3680 -- I think he misquoted it it should be 3670. These problems are of such magnitude that we cannot recommend enactment of the bill in the form porpoed. That's why I asked that the sponsor of the Bill, Mr. President, if he wanted to recommit this because of the legal questions that were asked.

Mr. Robinson:

Mr. President, first of all, let me just comment on Mr. Givens' interpretation of Mr. Pellegrini's comments relative to 719.02. If I understood him correctly, his concern is that veterans other than those who are honorably discharged would be allowed to have free licenses, is that correct?

Mr. Givens:

That's correct, you said veterans in the largest term, he is narrowing that down to meaning, as the state law indicates, only disabled vets can get free license fees, et-cetra.

Mr. Robinson:

Well, I don't interpret Mr. Pellegrini's understanding of that particular act to indicate that you could not include additional veterans. I understand that to mean that at least every honorable discharged veteran, but that we could include all veterans, there is no prohibition as I understand it, to including all veterans. My concern is --

Mr. Givens:

Okay, what about the farmer issue, can we resolve --

Mr. Robinson:

Well, I want to resolve this part --

Mr. Givens:

I'm just trying to go chronologically down the list, farmers are first.

Mr. Robinson:

I have no problems if Section (b) is indeed contrary to state law, but obviously the Law Department is correct in their comments, so there is no problem with Section (b). I'm not quite sure --

Mr. Givens:

You mean leave Section (b) --

Mr. Robinson:

That's of 719.02.

Mr. Givens:

Right, well you are adding, Section (b), (c), and (d) of that particular Section, Section 719.02, right? They are all add ons.

Mr. Robinson:

No, that is my point if you let me finish. Section (c) of 719.02 as it is before you in the proposed legislation, was already a portion of another section, I simply separated it out. The issue of no license fee required by a charitable organization engaged in vending or peddling for a charitable organization for one period of less than 10 consecutive days in

one year is already presently in the law. That is already presently in our law. The way it is written here is written as though it is an inclusion, but that is already in there. It simply was put in another section, a separate section, that is why it is underlined, this is nothing new, this is already in our present law and is consistent with state law.

Mr. Givens:

Well you say veterans in the broad term here, he is defining veterans by so stating what he actually meant here saying that everyone honorably discharged and then he further defines that down to meaning those people -- issuance of a free license.

Mr. Robinson:

I'm saying Mr. Givens, that anybody who served in the United States Military is entitled to a free license to try to make a living. I don't want to get into an issue about who is a patriot and who is not a patriot, it's not that terribly important. I just believe that those people who have served this country, who have gone into the military, regardless of how they have left the military are deserving of an opportunity to make a living. I would not want that one portion of the bill to be so scrutinized as one believes it is essential, that this inclusion is essential. I have no problem with dishonorably discharged veterans, but I do have problems with people who don't have jobs. This is simply an attempt to extend to people who served this country in whatever capacity, an opportunity to make some money. If other Members of Council feel it should be removed, I have no problem in listing only honorably discharged veterans, none whatsoever.

That is not a crucial point for me, it's just something I think as a courtesy we should extend, that is all.

Are there any other questions?

Mr. Givens:

Well, I can't even see in here, in reading the actual thing, I can't even see here where he indicates where you allude to the fact that only disabled veterans -- you know -- your

particular amendment reads, "any veteran of the United States Armed Forces shall be issued a license under this section free of charge, if such applicants provide a letter from the Veterans Administration validating service in the Armed Forces."

Mr. Robinson:

I don't know how much clearer that can be.

Mr. Givens:

I know, but he says here, "providing for the issuance of a free license to veterans in general" while the present provision applies only to disabled veterans -- maybe he was reading something into that, I really don't know.

Mr. Robinson:

Well, perhaps Mr. Pellegrini, well, I won't say that -- I think that what I have suggested means that as opposed to excluding some veterans I am suggesting that we include all of them. If the state law in fact, specifically designates a group of veterans that we include, we are not in violation of state law. We are superceding state law, I believe that local units of government do have that power, but we can go beyond what the state law says to include another group as long as we do include anyone it has included. They have said specifically, honorably discharged veterans. I'm saying that we can say any veteran.

Mr. Givens:

No, the state law --

The Chair:

Excuse me, Mr. Givens, would you want to make an amendment to that to exclude dishonorably discharged veterans?

Mr. Givens:

No, I don't --

Mr. Robinson:

Well, then, what is the problem, I don't understand.

Mr. Givens:

Again, the bill conflicts with state legislation that would permit non-disabled veterans -- that is what he is bringing out -- non-disabled veterans with less than honorable discharge, to have free license. This is what Dan Pellegrini says, "A review of the veterans legislation in the Commonwealth reveals that in no case is a veteran who receives less than an honorable discharge entitled to any benefits." -- this is legal, this is not me. I mean, if I would have sponsored the bill, I would recommit it to get the proper language, to get technical data that is of a legal opinion.

Mr. Robinson:

Mr. Givens, to save all of us some time, because the hour is growing late --

Mr. Givens:

It would have saved a lot of time if you would have read this ahead of time.

Mr. Robinson:

Let's not get into that -- I'm trying to expedite this matter for everyone's convenience if you will allow me. I will try to accommodate you as a veteran of the Armed Forces if you have that type of sensitivity. My father also was an honorably discharged veteran and certainly I wouldn't want to offend my father.

Mr. Givens:

Nor my father and my brother -- I'm sure all of us here appreciate the veterans issue, the only thing -- its the clarity of the proposal that you have made.

Mr. Robinson:

If you allow me Mr. Givens to offer an amendment I think I can solve the problem, if you would please allow me that courtesy.

Mr. Givens:

Well, hold it, we've got so many amendments right here we are going to be here all day long -- he brings out about four specific major areas.

The Chair:

Well, we're going to be here all day long if we keep kicking it around, now either we have an amendment or we recommit or don't recommit the bill, and I think Mr. Robinson, if we give him a chance to explain -- in all fairness, Dick, I really don't know what you are driving at. Do you want to exclude dishonorably discharged veterans --

Mr. Givens:

No.

The Chair:

You're saying no, you don't want to exclude dishonorably discharged veterans, then what is the problem?

Mr. Givens:

The way it is written right here, he is indicating that, you know, you could put in there, when you say veterans in general, that you can include someone that is not honorably discharged. That is the key part that he is bringing out.

Mr. Robinson:

Mr. President, if I might offer an amendment to hopefully clarify, if not Mr. Givens, other Members of Council. In Section (d) as it presently proposed before you in 719.02, I would like to offer an amendment that only honorably -- only honorably -- any veteran honorably discharged.

Mr. Stone seconded the motion.

Mr. Givens:

And, to get that language in here now --

Mr. Robinson:

If I may continue, Mr. Givens, I say I can solve a couple of your problems very quickly. Also, Mr. President, I would like to --

The Chair:

Then the only change is we are excluding dishonorably discharged veterans.

Mr. Robinson:

Right, what we are saying now is that only honorably discharged – right.

Also, in 719.02, Section (b) as is presently listed, I would like to delete that inasmuch as it is in conflict with state law.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Robinson:

Are there any other questions that you have Mr. Givens?

Mr. Givens:

(c).

Mr. Robinson:

Mr. Givens, I indicated to you again, that (c) is already in the present law. I simply have it listed here because I put it into a separate section, it will become (b) because (b) has been eliminated, It now becomes Section (b) – its already in the law, it was included in language relative to farmers, I simply separated for clarity's sake. Now that we have deleted my proposed Section (b) and (b) stays the same, if you like, (c) can go back as part of (b). There is no conflict with (c) Mr. Givens, you are confusing the issue.

Mr. Givens:

Allright.

Mr. Robinson:

Its legal. Its legal for non-charitable organizations to operate without paying the necessary fee. That is state law. That is state law.

Mr. Givens:

I agree.

Mr. Robinson:

Are there any other questions?

Mr. Givens:

Allright, we've said one point, oaky, then we get into Section 719.03, is clarified and the other section is 719.05 which is the heart of the whole thing.

Mr. Robinson:

Is that the heart of your concern?

Mr. Givens:

Well, its concerned illegal-as written here, and I'm just going on what the Legal Department had to say, let me read it so that everyone that doesn't have a copy of this will know its about the most serious legal objection to the proposed bill as the provision contained in 719.05, USE OF STREETS, which would permit vendors to have stationary locations. Then he just goes into various points of law right there that exemplify that particular statement that he has made.

Mr. Robinson:

Mr. Givens, there are already provisions for vendors to have stationary locations.

Mr. Givens:

You are right, stationary locations.

Mr. Robinson:

So, I don't understand your concern, I'm saying there are already provisions in the City of Pittsburgh for vendors to have stationary – we have vendors who have stationary locations.

Mr. Givens:

Well it says here, that "Moreover, Manlin provides that a vendor may not occupy a stationary location without first obtaining permission from the abutting property owner." And, your bill does not say that you have to go to the property owner or anything else and our ordinance prohibits vending in-the downtown area, I think that is the only area right now.

Mr. Robinson:

Mr. Givens, I think if you read the ordinance, since you said 719.05 is the heart of the matter, first of all, I think all of us here are aware that you cannot pass any laws that are in conflict with state or federal law so the Law Department is not going to allow us to do that, at least they are going to advise us not to do that.

If something is not specifically spelled out in this particular legislation and there is relevant state or federal law that applies, then it also applies to this legislation. The heart of this legislation as you indicated, for your purposes, is 719.05, if that is the case --

Mr. Givens:

No, I didn't indicate that, the Law Department indicated that. I'm just reading what the Law Department indicated to us.

Mr. Robinson:

If you will read 719.05, particularly the sections that are underlined, you will see that the attempt here is to indicate that there are certain ties -- that vendors will be allowed to utilize the streets. If indeed, what you say is correct, that they must get the approval of abutting property owners, that is not in conflict with what I have proposed. The way it stands now, they cannot as I understand it, use the street. If they can, we have a number of vendors who are in obvious violation of the law. As I mentioned to you before my attempt was to provide everyone with an opportunity who wants to sell merchandise in downtown Pittsburgh some chance to do that. We obviously have some vendors who in my opinion and the opinion of others, are in violation of the law. Mr. Pellegrini indicates that they are not because they have gotten the approval of the abutting property owners. But, some of these people are out on public streets --

Mr. Givens:

And that is against the law.

Mr. Robinson:

My legislation will allow these people to be on the public streets as long as they are

not blocking the right-of-way, as long as they are not breaking the law, for a certain number of hours during the day to make a living -- that is the intent.

Mr. Givens:

I know that was the intent and that is where the state law says you can't do that except in specifically designated areas. You are going to so designate those areas, the law is indicating from what I can see, that you have to get the approval of such property owner abutting that sidewalk and that means that no one is going to go out in front of my store, downtown, and sell wherewithalls to undercut me unless I would give him that permission and that would have to be written into the law of the Municipality of the City of Pittsburgh. I'm just saying that the way you have it here, "except in specifically designated areas" -- what are they? Where are these specifically designated areas? Who gave them the approval? And, if we are to do this --

The Chair:

Dick, its pretty clear cut Dick, that no person is going to peddle right in front of a person's store who sells the same goods --

Mr. Givens:

Oh, come on "Jeep", its happened.

The Chair:

Its happened? You mean if I have a haberdashery store, someone is going to stand in front of my place and sell ties and shirts?

Mr. Givens:

Well if he's smart he won't.

Mr. Lally:

Go out and catch some of those peddlers down on Market Street peddling out of their cars right in front of Sol Mintz's.

The Chair:

Well, I'm saying I've never seen anybody right in front of a haberdashery

store selling --

Mr. Lally:

I see them in front of Sol Mintz's "Jeep", your store downthere, they've been right out on the curb with them.

The Chair:

I'm not disputing the fact that the abutting property owner should give permission -

Mr. Robinson:

Mr. President, to again help Mr. Givens understand --

Mr. Givens:

You're not helping me, you are helping this whole Council body by expressing your thoughts.

Mr. Robinson:

Mr. President, if I might --

The Chair:

It's our last day for a while, let's not get into any arguments.

Mr. Robinson:

--to help expedite this matter again, in 719.05, to continue the intent, as I said before, the intent is to help the very, very small business person not to in any way try to infringe upon the rights of any of the people presently operating. I would like to amend what I presently have here. After the word "each day", put in, "if the designated area is a public property".

Now, what this will accommodate is, for example, there are public properties right behind Allegheny Center, I believe, parts of Market Square are public property, also our parks and some other places are public properties. The intent here is to exclude any private property so that any potential conflict can be minimized and at the same time we can allow these vendors to operate.

Mr. deLuca sent me amemo recently in-

dicating that he felt that some of these vendors could operate very effectively within the confines of our present flea market and we are still looking at some possible streets in the City that can be closed off and used specifically as these areas.

Mr. Givens:

I think this would be the right approach as long as you don't infringe upon another property owner or business person within any particular community. I don't care what community it is, downtown, or any area, if you peddle your wherewithall outside, or within close proximity to his establishment, then you are infringing upon the business person's rights-of the fact that he has a hell of a big overhead. But, that still doesn't get away "except in specifically designated areas..." all that is underlined there from the middle of the paragraph-the second sentence in paragraph two of 719.05, all the way down through. You are specifying specifically designated areas and you are specifying specific times, what about that one?

Mr. Robinson:

Mr. President, the issue of the specific areas has been ansered, those specific areas are public areas --

Mr. Givens:

No -- wait, it doesn't state that here.

Mr. Robinson:

Mr. Givens, I just offered an amendment to accommodate that.

Mr. Givens:

Well, here again, we are getting into something that legally, I don't know if we can do that or if we can't do it?

The Chair:

Would you put that in the form of an amendment Mr. Robinson?

Mr. Robinson:

Mr. President, I would like to amend 719.05 to read after the words "each day" --

"if the designated area is public property" -- wait, let me do it better than that, so that it will be very clear for everybody.

The Chair:

Why don't you read the whole thing so that it will be easier.

Mr. Robinson:

Allright. "No peddler or vendor shall have any exclusive right to any public street, nor be permitted a stationary location except in public areas during the hours of 10:00 A.M. through and including 1:00 P.M. and 3:00 P.M. through and including 5:00 P.M. each day. If a designated area is a private area, the peddler or vendor must receive the approval of the abutting property owner."

The Chair:

Is that satisfactory Mr. Givens?

Mr. Givens:

Okay, I'll tell you what that means to me. Right down here, this is a public building, the County is a public building, anything that is a public building or property that we own or the County owns or the State owns, is considered a public area, now we have many public areas, say just in Market Square down there for example, abutting many stores, now that's a public area, let's get into how many feet can you be from a particular abutting area which is another thing that was brought out in Mr. Pelligrini's letter there in the consonant of what some of our zoning llws have right now, we use a thousand feet or two blocks for hawkers, as they call them, street hawkers, who go in and peddle their wherewithall before the Stadium, our future Convention Center, Pitt Stadium, our own Stadium, Three Rivers Stadium, one thousand feet or two city blocks, whichever is greater. Now, this bill here is asking for 250 feet and we are having inconsistency with our own laws is what it is boiling down to. To amend this thing right off the floor here, I think seriously Mr. President, without going in and researching it, I think it is taking a lot of our time up. I though twhen Mead Mulvihill, the City Solicitor presented his points that the amendment would be forthcoming, I mean, we are just going over

each one and I wouldn't want to have, how many vendors can we have per square block? Are we going to have 50 vendors down here in front of the City County Building? This is a serious problem, I mean it can happen, if you say, all public buildings --

Mr. Robinson:

There are only 38 licensed vendors in the City of Pittsburgh, Mr. Givens, we won't be overrun.

Mr. Givens:

There are right now, there could be a thousand by the time gets through if they know they can come right down in front of the City County Building and sell all their wherewithall. What would people think coming into the City of Pittsburgh if that would be the case, or any location?

The Chair:

Honestly, its rather immaterial to me whether we do or don't but we have two issues here, either we recommit this bill or we go along with the amendments of the sponsor of the bill, Mr. Robinson.

Its clear cut as that. Now, we have had a couple of amendments, Mr. Robinson has offered another one and if Councilmembers feel that these amendments are not adequate or satisfactory, then we are going to have a motion to recommit and we either recommit or don't. Now, Mr. Robinson has another amendment of the floor, he has read the amendment and is there a second on the amendment?

Its clear cut as that. Now, we have had a couple of amendments, Mr. Robinson has offered another one and if Councilmembers feel that these amendments are not adequate or satisfactory, then we are going to have a motion to recommit and we either recommit or don't. Now, Mr. Robinson has another amendment on the floor, he has read the amendment and is there a second on the amendment?

Mr. Stone:

Mr. President, if I may, on this particular paragraph, if a property owner wants

to give the consent, they would still need the okay from the City of Pittsburgh. What I see Mr. Robinson doing is creating the ability for the City to authorize it and then indicating that there is also a qualification. If he wouldn't mind, I'd like to suggest just slightly different language which says the same and would not give the need to say two different areas. Where he comes after the words "each day," I think if he just put, "provided however, that if the designated area shall be private property, then the vendor also shall obtain the permission of the abutting property owner", you don't have to say one is public and one is private. That would give you the suggestion. But, I think what he is doing here, as I recall, when we had this public hearing on this, we thought that it might be nice as is in many other cities, to have a little area where all that vendors could come to some designated area at designated hours. This has been very satisfactory in many cities and I know in San Francisco they have it at Union Square. This was the understanding and I understand he took this up with Mr. deLuca as we had suggested and I would with this amendment here, it gets around what has been suggested I don't think that we can say, "go ahead, go on Mr. DePasquale's sidewalk", you can't do that, but I think with this amendment, I think that you CAN IN THAT INSTANCE DO IT.

Mr. Givens:

Bob, there is one thing that is at fault, the prohibited area shall read 250 feet vs. 1,000 feet, now we have ordinances existing, zoning, for the massage parlors, now watch how this is going to infringe upon certain areas. We're trying to—

Mr. Stone:

Dick, you are missing the one point though, I think—

Mr. Givens:

What's the one point? Did we change it from 1,000 to 250 feet?

Mr. Stone:

No, if you watch what he does above

that's why you don't have to worry about that.

Mr. Givens:

If you want to establish a particular area, I could agree with that.

Mr. Stone:

No, let me finish a second—he says "in specifically designated areas". If you designate an area, you may want them all together, so the 250 would not really even be practical, I think that is what he was trying to get with it and that is the thing that we kind of suggested.

Mr. Givens:

Who is going to say what the specific designated area is going to be?

Mr. Stone:

The City of Pittsburgh.

Mr. Givens:

The City of Pittsburgh?

Mr. Stone:

Yes.

Mr. Givens:

And how are they going to do that? Are they going to come before this Council and say that this particular area is designated and do the people living within that area and having businesses within that area within 1,000 feet of that area, are they going to have the prerogative to come up here and have a public hearing, I'm sure they can anytime, but I mean, will this Council deem them to have public hearing because it is affecting them and it should be so posted that they are going to have a particular operation going on within 1,000 feet of their business or property. That is the seriousness of it. If we change that 1,000 feet down to 250 feet then we have problems with some more serious ordinances that we have within the City of Pittsburgh designating, for example, adult entertainment areas, and we know what Liberty Avenue is like right now. So, we have to be

consistent. That is the only thing I am asking, that we be consistent, and if we say designated areas, then they must come back to this Council and say what the designated area is. There is no reason for me to not want the peddlers to do their peddling, but if they do it in such a way that they do not infringe upon the normal rights of the business community and the people who live in that particular community. If they don't want vendors, I think they have a right to say they don't want vendors. If they will condone vendors, then I say the City has to so designate an area.

The Chair:

I notice in some cities, as Mr. Stone alluded to, that they have a section like on Sundays, or maybe Saturdays and Sundays, where a group of vendors get together and sell their wares. We do that sort of at the flea market only on a larger scale because some of the things at the flea market aren't that cheap, but at the same time, Mr. Robinson and Mr. Stone are saying, perhaps we should do that same type thing here in the City of Pittsburgh.

Now, the fact was brought out that there are only 38 vendors in the entire downtown area and I don't think overnight we are going to end up with 3,800, but again I say, we are either going to have to go along with these amendments or we are going to have to recommit the bill, one way or the other. We can be here till the cows come home.

Mr. Givens:

I would be happy to go along with a designated area "Jeep", fine, you know? If the people within that area condone it. We have to look at their rights as well as the peddler. I do not want to deny the peddler from going out and doing his thing within this community. I think it is something that is an adventurous area for both young and old

The Chair:

Well, don't you feel that Mr. Robinson's last amendment sufficed or met those needs? Mr. Robinson's last amendment, in regards to getting permission from the abutting property owners.

Mr. Givens:

There is no way I can buy "public areas", and if you go into the private owner of an establishment, then we must keep to the 1,000 foot regulation and if we don't we've got serious problems in several ordinances that I know of that have already passed in this Council since I've been here and dear knows what else. And that is to protect that businessman, the person who is already there and established. The street hawkers is one good example of that.

Mr. Robinson:

Mr. President, I will withdraw my last amendment in favor of Mr. Stone's amendment, I would just like to indicate that I hope that the point that I am trying to make is not being lost somewhere here in the verbage. I think that certainly some of the points that Mr. Givens raises have merit and certainly these are points that have been raised before, I'm sure they were raised when the original legislation was drafted and enacted. Part of the difficulty that I have in perhaps understanding some of Mr. Givens' reservations, is that we do license vendors and peddlers in the City of Pittsburgh to operate and we find that some of these vendors and peddlers are not able to operate as others are able to operate. It seems to me that if we are willing to license them, sanction them doing business in our community, that we should do what we can to encourage them to do business. Again, that is the intention of the legislation, to accommodate that where possible and recognizing that we do want to have some control over those businesses. It was my understanding or my hope that perhaps some areas could be designated that we could utilize. Now, perhaps there are a number of problems with that that the City is not ready to address, but it does seem to me that we do have public areas where it would not be infringing upon the public's right to allow these vendors to set up if they chose to do so and I don't think we should assume that every vendor in this City is coming downtown or going to East Liberty or what have you, to provide them with some opportunity to try to make a living. Again, that is the intention, certainly I wouldn't want to pass any kind of legislation that either complicates the situation more, or this Council felt uncomfortable with, or which would cause so

much consternation that instead of these vendors and peddlers having an opportunity to make a living, that their reputations are smirched, or that this Council is thought to not be appreciative of the problems that our larger merchants have. I just wanted to say that. I think that Mr. Stone has addressed that issue relatively well. I agree with Mr. Givens that certainly you wouldn't want 38 or 40 vendors down in our lobby, but again, we do accommodate certain kinds of business people, certain kinds of ventures and we don't have the problems that you are suggesting. It is against the law to block a public right-of-way whether you are a licensed vendor or not. It is also against the law for anyone to block a public right-of-way. It would seem to me that there are enough laws on the books to handle some of the problems that you are referring to.

The idea of reducing the footage from 1,000 down to 250 is very simple to explain, again, the idea is to attempt to give these individuals an opportunity to be a bit more competitive. There is no way in the world that vendors and peddlers can be in business and not be in competition with other business people. That is simply the free enterprise system.

The Chair:

Mr. Stone, would you want to read your amendment?

Mr. Givens:

Well, I think what was Councilman Robinson saying? Is he going to go along with 719.05 and —I know what his intentions are and I think they are honorable intentions, but I can see some problems with that. I want the vendors to be protected. I think one thing he brought out in the very beginning of his deliberation here, and that is the fact that some people are not being treated equally within the City of Pittsburgh. That is the business of the Police Department and this Council. If we know specific cases and instances then we should then bring those particular officers or the Superintendent and for that matter, the Mayor in if certain people are being denied and other people are given the right to do things that are lawful or unlawful within the City of Pittsburgh.

Mr. Robinson:

Mr. Givens I think that perhaps there are those people who feel that the only reason I would be interested in amending this law is to accommodate an individual. I take exception to that.

Mr. Givens:

No, in no way did I say that.

Mr. Robinson:

Let me finish, because I think that perhaps is the—

Mr. Givens:

I didn't infer to it and I don't think that Mr. Pellegrini inferred to it—

Mr. Robinson:

No, I think there may be some confusion. I'm saying my interpretation is there may be some confusion relative to that inasmuch as the gentleman who came in with the initial complaint about his situation and the situation of some other vendors, was speaking of an issue a little bit different than the issue that I am raising. His issue was law enforcement, the enforcement of the law. I think Mr. Stone put it very aptly to the gentleman the second time he came in and he was somewhat hostile, somewhat angry that the law was still not being enforced and I had suggested that there were some other alternatives that we might explore to deal with the whole issue of allowing vendors in general the ones who are down there now, who are in question and the ones who feel they are not allowed down there, the opportunity to make a living. One of the things that I explored with Mr. deLuca and Mr. Hurley was trying to provide a place for them and/or some specific times that they could operate, all of them could operate in the downtown area. So, while Mr. Wolford had a particular problem, Mr. Stone suggested to him that he would probably get more than he had even bargained for if he would let us attempt to deal with all the vendors and not simply zero in on his particular problem. More than likely, had Mr. Wolford not come here, or if the Police Department

had more clarification from Mr. Pellegrini and others, as to whether or not all the vendors who are operating downtown are legal, this issue would not even be before us now. Because, I think there is still some question even in Mr. Pellegrini's mind, whether or not a number of the merchants who are downtown, peddlers and vendors, are legal. We have taken no aggressive action against these individuals. I would say because its not a priority. But, I agree with you, there is some confusion around the law. My intent was to include everyone and to give everyone an opportunity to do what was legal, not to try to accommodate one individual in a particular situation. The law enforcement problem will always be a concern because there is nothing to stop our Police Department from interpreting the law in such a way that they make someone move on.

Mr. Givens:

Mr. President, we are still on 719.05 and is it going to be amended or not be amended?

The Chair:

Mr. Stone, read your amendment please.

Mr. Stone:

Mr. President, if I may, 719.05 USE OF STREETS, it would stay as is and the proposed amendment is shorter and I think it accomplishes more exactly what we are after. After the words "each day", there should be a comma and then it will say, "provided however, that if the designated area be private property, then the vendor shall also obtain the permission of the abutting property owner."

Mr. Robinson seconded the motion.

Mr. Givens:

Hold it, you are talking about—you are leaving all, "except in specified designated areas", are you leaving all that in? All that is underlined?

Mr. Stone:

Yes.

Mr. Stone:

Dick, I don't see the designated areas the way you do, I see the designated areas as a control mechanism. They are going to permit this accumulation—

Mr. Givens:

I know you way the specific designated areas, you know, by whom? Who is going to enforce the specific designated area, the police?

Mr. Robinson:

Dick, how do we enforce the farmer's market or the flea market? The City of Pittsburgh promotes the farmer's market — how do we control that? Who designated that farmer's market to be where it is? Obviously the City.

The Chair:

I think its time we moved on — Mr. Stone made an amendment, is Mr. Robinson seconded the amendment?

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bills	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. L. illy	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7

Noes 1 (MR. GIVENS
VOTING NO)

And a majority of the votes being in the affirmative, the amendment was approved.

Mr. Givens:

I'm opposed because I'm opposed to the specific designated areas during the hours of operation and even though Mr Stone indicated, to the abutting property owner,

there is still one overbearing thing that he didn't take into consideration, let's go down to 719.06, because it says 1,000 feet there, now how in the hell can you be next to a property owner and be 1,000 feet away from him?

The Chair:

You made your objections rather clear, that's about the fourth time, so I think we are all convinced what your objections are, now we had the amendment and the amendment passed. I think that is about it on the vendors and peddlers.

Mr. Givens:

Well, now we are down to 719.06, that is why I am objecting to it is because of 719.06. We've got a prohibited area.

Mr. Robinson:

Mr. President, if Mr. Givens had read the law, he would realize that 719.06 specifically relates to public facilities, etc., I think is the point — Mr. Stone's point again, is well taken, that it is all in relationship to everything else. The attempt is to move it down, but by the same token it does not relate to private business places, it relates to gatherings of people.

Mr. Givens:

Let me give you a good example, I'm the shoe man down there and I can say to the peddler who is a jeweler that you can peddle in front of my establishment, but right next door to me is a guy that I don't like too well and he is a jeweler, and as a result this guy is going to sit out there in that street and say I have merchandise that is \$10.00 underneath that guy next door. That is why we put the 1,000 feet in to protect people, 250 feet is not enough protection when you get to some of the — and I'm not talking about the Joseph Horne Company and the biggies downtown, they are just a few of the biggies, we have a lot of small retail places. The thing that keeps the City of Pittsburgh a viable downtown area — we do have a lot of small retail outlets now if you put someone next door to these retail outlets because I say you're not hurting my business, but what happens right next door to me? 250 feet is not a very far distance, that's why they came up with 1,000

feet and 1,000 feet ties into other existing ordinances that we have. That is a very serious and if we approve something like this of going down to 250 feet we are going to have a possibility of a lawsuit coming against the City of Pittsburgh to have massage parlors and to have adult movie houses wanting 250 feet too, we have it 1,000 feet, that is an established and recognized law, let's keep it that way.

If we make exceptions, they are going to come in for exceptions too.

The Chair:

Would there be an amendment to re-amend Section (b) of 719.06 to again read 1,000 feet instead of 250 feet?

Mr. Robinson:

Are you asking me?

The Chair:

I'm asking you as the sponsor of the bill or anybody else who cares to make that amendment to re-amend to re-institute the 1,000 feet instead of the 250 — 250 is a change, right? From 1,000.

No one cares to make this amendment.

Mr. Givens:

We'd better hurry up we don't have many Members of Council left in the room.

Mr. Robinson:

Mr. President, before we vote, could we have all Members of Council present inasmuch as they were all privy to the information that we discussed today?

The Chair:

Well, Sophie and Mr. Bulls are out, that brings us down to six. Do you want to go ahead? Is Sophie coming back in?

Mr. Lally:

She had an important phone call.

Mr. Givens:

May I be excused Mr. President, I need a drink of water.

The Chair:

Next time I have the gout I'm not going to come to a meeting.

Mr. Robinson:

I believe Mr. Givens will have to be here to vote Mr. President.

Mr. Givens:

I'll be right there, I'm getting a drink of water.

The Chair:

We may have to send for Michelle to get a vote.

Mr. Givens:

Mr. President, is Michelle here?

The Chair:

To the best of my knowledge she is not Dick, I didn't see her.

Mr. Givens:

She is not here? Because you know, she kind of insinuated last time that when 'here is an important vote coming up in this Council that all Councilmembers should be present and accounted for.

The Chair:

That's neither here nor there Dick, if she's not here, she's not here. We've done it before, we'll do it again.

Mr. Givens:

Mr. President I have a point of clarification on 719.06 as written it is 250 feet instead of 1,000 feet.

The Chair:

There was no amendment, it remains 250

feet. Nobody made an amendment to change it or to re-amend it to 1,000.

Mr. Givens:

And you are saying that is the way Mr. Robinson wants it, he wants it to remain 250 feet?

The Chair:

Mr. Robinson evidently wants it thatway and nobody made an amendment to it.

Mr. Givens:

That is my objection.

The Chair:

Apparently Mr. Robinson wants it to remain 250 feet.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mrs. Masloff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 6

Noes 2 (MR. GIVENS
AND MR. LALLY
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Lally:

I would just like to comment that I have voted no, taking the advice of our Legal Counsel.

Mr. Givens:

Mr. President, if I might make one comment here, I'll be asking for, and I'm sure the

merchants in the City will be asking for a public hearing in regards to Bill No. 3670, there are some deep reservations on the protection of the particular merchant in any particular area of the City of Pittsburgh here, its not that I don't want a peddler, I want the peddlers, but I think this is poorly written and I think we are going to have tremendous flack in this Council because of passing it the way is has passed.

The Chair:

Thank you Mr. Givens.

Also,

Bill No. 3673

A Resolution entitled, "Resolution providing for the issuance of a warrant to John P. McIntyre in the amount of \$1,510.55 in full settlement of claim for damage to his motor vehicle, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes 8

Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 3707

Report of the Committee on Public Works for

August 8, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3612

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design of McArdle Roadway (PW 79-13); and providing for a Reimbursement Agreement or Agreement with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 3613

A Resolution entitled, "Resolution providing for a Contract or Contracts for East Liberty Study Implementation (PW 79-22); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3614

A Resolution entitled, "Resolution providing for a contract or contracts for the Bloomfield Bridge Demolition (PW 79-20); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 3615

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Rehabilitation of the Larimer Avenue Bridge (PW 79-12); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No 3616

A Resolution entitled, "Resolution providing for the purchase in lieu of condemnation, of an easement for public sewer purposes across certain property situated on the north-west corner of South Main and Cross Street in the Nineteenth Ward of the City of Pittsburgh; providing for the payment of the cost thereof; and repealing Ordinance No 15 of 1974."

Which was read.

Also,

Bill No 3617

A Resolution entitled, "Resolution granting unto Joseph Horne Company, Penn Avenue and Stanwix Street, the privilege and license to install, maintain and use, at its own cost and expense, two (2) steel posts in the sidewalk area of Stanwix Street to support a canopy for the entrance to the proposed Josephine's Restaurant "

Which was read.

Also,

Bill No. 3618

A Resolution entitled, "Resolution amending and supplementing Section 2 and Section 3 of Ordinance No 335, approved October 3, 1922 entitled, 'An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No 3708

Report of the Committee on Planning, Housing and Development for August 8, 1979 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3354

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet Nos. 6 & 7 by changing: (A) from 'R5' Multiple-Family Residence District and 'M2' Limited Industrial District to 'R4' Multiple-Family Residence District all that certain property bounded by: Allegheny Avenue; Jakob Way; Lot numbered 148 Block 22-S in the Allegheny County Block and Lot System; North Avenue West; Brighton Road; Western Avenue; the zoning district boundary line of the 'C1' Neighborhood Retail District located on the northerly side of Western Avenue between Rope Way and Brighton Road; Rope Way and Dounton Way, 22nd Ward; (B) from 'R5' Multiple-Family Residence District and 'C3' Commercial District to 'R4' Multiple-Family Residence District all that certain property bounded by: Galveston Avenue; Maois Way; the easterly property boundary of Lot Numbered 53, Block 8-A in the Allegheny County Block & Lot System; Western

Avenue; Rope Way; North Lincoln Avenue; Brighton Road; Ridge Avenue; the zoning district boundary line of the 'C3' Commercial District located on the northerly side of Ridge Avenue between Rope Way and Galveston Avenue; and Chapel Way, 22nd Ward."

Which was read.

Also,

Bill No. 3355

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet Nos. 6 and 7 by changing from 'C3' Commercial District and 'M1' Limited Industrial District to 'A1' Commercial-Residential Associated District all that certain property bounded by: Allegheny Avenue; Dounton Way; Rope Way; Western Avenue; Lot No. 54, Block 8-A in the Allegheny County Block and Lot System; Maolis Way; Lot No. 239, Block 7-D in the aforesaid system; and North Lincoln Avenue, 22nd Ward."

Which was read.

The Chair:

I would just like to mention, on Bill No. 3354 and 3355, I have some mixed emotions. There were people seen on both sides and they are all pretty nice people, but at the same time, those who had objections seemed to be as strong as those who were in favor, so I am going to abstain on these two bills.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone

Ayes 7

Noes none (ONE AB-
STAINING, MR. DE-
PASQUALE)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3356

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet No. 8 by changing: (A) from 'R2' Two-Family Residence District to 'M1' Limited Industrial District all that certain property bounded by: Coast Avenue, a line parallel to the center line of an Unnamed Way situated southeast of Banksville Road between Coast Avenue and Cagwin Street and located 40 feet northwest of said center line; the 'M1' Limited Industrial Zoning District boundary line south of Coast Avenue between Banksville Road and Bowmore Street; (B) from 'R2' Two-Family Residence District to 'S' Special District all that certain property bounded by: Coast Avenue, an Unnamed Way situated southeast of Banksville Road between Coast Avenue and Cagwin Street; Cagwin Street and a line coinciding with the parallel line mentioned in item (A) above extending between Cagwin Street and Coast Avenue, 20th Ward."

Which was read.

Also,

Bill No. 3620

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cornelius A. Wheeler for the sale of Parcel 109 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3621

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Vincent Sisco for the sale of Parcel 121 in the Third Ward of the

City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3622

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Port Authority of Allegheny County for the sale of Parcels B-2 and B-22 in the Seventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 3623

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gregory Hankins for the sale of Parcel 117 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read

Also,

Bill No. 3624

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 7-B, Lot Nos. 235 and 237 and Bloc, 22-P, Lot No. 273."

Which was read.

Also,

Bill No. 3625

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the

Young Women's Christian Association of Greater Pittsburgh and the Young Men's Christian Association of Pittsburgh for space rentals in connection with Citizen Participation meetings."

Which was read.

Also,

Bill No. 3626

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Development Action Grant for the Stanton Heights Shopping Center."

Which was read.

Also,

Bill No. 3627

A Resolution entitled, "Resolution approving the Areawide Housing Opportunity Plan; providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Areawide Housing Opportunity Plan Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3671

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Community Release Agency to initiate an implement a Housing Rehabilitation Program in Community Development Neighborhoods, costs not to exceed \$80,000 from the following costs accounts: C.D.U.L.O. Trust Fund 1976: \$840.00; C.D.U.L.O. Trust Fund 1977: \$52,681.72; C.D.U.L.O. Trust Fund 1978: \$5,837.61; C.D.U.L.O. Trust Fund 1979: \$20,640.67."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President, on Bill 3671, I would like to amend this bill by inserting after the words "City of Pittsburgh" I would like to insert thereafter, "As approved by the Council of the City of Pittsburgh." Mr. Lally seconded the motion.

Mr. Robinson:

I would like to know the purpose for that amendment?

Mr. Givens:

Its very simple, that when this agreement comes forward, that not only the City of Pittsburgh, but also this Council will approve of this agreement. We have done this in past legislation.

Mr. Robinson:

Just one question, Mr. President, I was wondering, if this is to set a precedent relative to some other pieces of legislation that we have.

Mr. Givens:

Mr. President, it does not set any precedent, as indicated, we have done this on many agreements that have come before us since I have been on this Council, it does not set precedent. It just assures this Council that this legislation does not show us what agreements are going to be made or entered into; there is \$80,000 that is going to be spent of Community Development money—I want to know what type of an agreement is going to be entered into. What are these people going to do for us for \$80,000.

Mr. Robinson:

Mr. Givens, two points, one I believe you and other Members of Council are in receipt of the program objectives of the Community Release Agency as well as a number of supporting letters from persons who I think are of great substance and whose opinions, at least I value greatly.

Also, relative to 3671, I think if you look at Bill No. 3626, we are willing to some agreements between the URA and the City of Pittsburgh in reference to a shopping center to the tune of \$1.6 Million loan where we are subsidizing in effect, a private developer and there doesn't seem to be any hesitancy on that part, but \$80,000 for a Community based organization that is obviously helping put people back in the mainstream or put them back to work, there are lots of questions. That is why I raised the question around consistency. Whether or not this particular type of approval is going to be a standard measure.

Mr. Givens:

I didn't see putting anybody back to work to implement the Housing and Rehabilitation Program. The one concern I have of government is putting layer upon layer of bureaucracy. Now, I'm not saying this is the case here, but I just want to see that Agreement, and I think that is very simple and very plain and if you want to see the agreement of URA, you are welcome to do the same thing, as approved by the Council, put it in.

Mr. Robinson:

No, I don't want to get into the hassle of whether or not the Community Release Agency is more credible than the Urban Redevelopment Authority—I don't think that is an issue, it doesn't matter whether URA or Community Release Agency in terms of whether—

Mr. Givens:

Mr. Robinson I'm not trying to make any issue whether or not the merits of this particular corporation, whether it is good, bad or indifferent, I just want to know what agreement this specific piece of legislation doesn't spell out what that agreement is to be. It does in general, broad terms.

I have a motion on the floor.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:	Noes:
Mr. Givens	Mr. Bulls
Mr. Lally	Mr. Coyne
	Mrs. Masloff
	Mr. Robinson
	Mr. Stone
	Mr. DePasquale
	(Pres't)

Ayes 2 Noes 6

And a majority of the votes of Council not being in the affirmative, the amendment was defeated.

Mr. Givens:

May I make one comment Mr. President, and that is the fact that this is an agreement that is being entered into by a Member of Council and I submit that this Council cannot go into any agreement that the Administration will then finally have to make

final determination as to the wording of this particular legislation.

Mr. Robinson:

I believe Mr. Givens is in error, there is no Member of this Council entering into any agreements with anyone and I think the record should so reflect it. Mr. Givens I think we are going a bit far afield here as to these areas, that you and I both not discuss here at this Council table, but to suggest that I am entering into some agreement with a public agency, I think almost borders on liable. I mean this has some very serious legal ramifications, what you just said -- if you are suggesting at all that I was going to personally benefit from any Community Release Agency, Mr. Givens, I think you had better get yourself an attorney.

Mr. Givens:

Now you are reading into things.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:	
Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3709 Report of the Committee on Supplies for August 8, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3640

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fifteen (15) Non Portable Manual Typewriters for the Department of Police, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff for Michelle Madoff presented

No. 3710 Report of the Committee on Water for August 8, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3633

A Resolution entitled, "Resolution providing for a Supplemental Agreement with the Pitometer Associates, Inc., amending the Agreement between the parties dated May 18, 1979 by providing for a Pitometer Water Waste Survey."

Which was read.

Also,

Bill No. 3666

A Resolution entitled, "Resolution amending Resolution No. 487 approved July 12, 1976, entitled 'Approving 1976 Capital Improvement Projects; allocating and setting aside amounts in connection therewith; creating trust funds; transferring Bond Funds to said trust funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the cost thereof', by decreasing the appropriation for WD-76-02 and WD-76-03 and establishing new line item WD-76-06, Water Line Relay, Evaline Street."

Which was read.

Also,

Bill No. 3667

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of water lines on Evaline Street, between Liberty Avenue and Friendship Avenue and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 3711 Report of the Committee on Parks and Recreation for August 8, 1979 transmitting one resoluition to Council.

Which was read, received and filed

Also, with an affirmative recommendation,

Bill No. 3636

A Resolution entitled, "Resolution providing for an agreement with Ozanam Cultural Center for professional services for a recreational, cultural and educational program for residents of the City of Pittsburgh and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Coyne
Mr. Robinson	Mr. Givens
Mr. Stone	Mr. Lally
Mr. DePasquale	
(Pres't)	

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally

Mr. Lally presented

No. 3712 Report of the Committee on Lands and Buildings for August 8, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed

Also, with an affirmative recommendation,

Bill No. 3630

A Resolution entitled, "Resolution amending Resolution No. 241 of 1978, as amended by Resolution 828 of 1978, by providing an additional \$20,000 for tenant work at the Phoenix-Hill Shopping Center."

Which was read.

Also,

Bill No. 3631

A Resolution entitled, "Resolution providing for the sale by the City of Pittsburgh to the Pennsylvania Department of Transportation of certain property at the intersection of Saw Mill Run Boulevard and Bausman Street, 18th Ward, designated as part of Block 34-D, Lot 20, for one dollar (\$1.00)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Robinson	Mr. Coyne
Mr. Stone	Mr. Givens
Mr. DePasquale	Mr. Lally
(Pres't)	Mrs. Masloff

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

Point of clarification, a party called me and said that I slight Michelle Madoff when I call her Michelle Madoff and Mrs. Masloff Mrs. Masloff, I want to get the record straight—Michelle Madoff requested to be referred to as Michelle Madoff and Mrs. Masloff requested to be referred to as Mrs. Maloff, okay?

Mrs. Masloff:

Correct.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

No. 3713 WHEREAS, the conversion of rental units into Condominiums is a major Housing issue in numerous urban cities throughout the United States; and

WHEREAS, this Council has requested the Department of City Planning and the Department of Housing to address this issue and its impact on the City's housing programs; and

WHEREAS, a large portion of Pittsburgh's population are renters and in some instances more than fifty percent (50%) of specific communities are inhabited by renters; and

WHEREAS, many of the renters in our City are Senior Citizens and persons in need of special care; and

WHEREAS, the basic housing stock in Pittsburgh is limited and in a deteriorating condition,

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh on behalf of the citizens of the City of Pittsburgh does request and recommend that the Planning Commission of the City of Pittsburgh and any other appropriate agencies of City Government place a six (6) months moratorium on condominium conversions in the City of Pittsburgh or until such time that a suitable plan or appropriate legislation is drafted to address this issue and its impact on renters in the City of Pittsburgh.

Which was read.

Mr. Robinson:

In moving for approval, I would just like to indicate that Senator Romanelli from our 43rd Senatorial District has introduced legislation into the State Senate relative to condominiums. There will be some hearings

relative to that legislation and other housing matters on September 14th that Senator Romanelli will be holding in our City and I would encourage the Members of Council to attend and perhaps share their views, I certainly plan to do so.

Also, we have requested both Mr. Brophy and Mr. Lurcott to return to Council after our recess with some sort of report on the issue of condominiums as it relates to rental units in our City. That Post Agenda is scheduled for September 26th. In light of some of the difficulties and problems that are being experienced by persons not only buying condominiums, but those who want to convert and those people who are going to be displaced, and the fact that 46% of our housing units in the City of Pittsburgh are rental units, I think it would be appropriate for Council to express its concerns and ask everyone to please slow down until we can get a very firm fix on where we are going in that regard.

With those comments, I would like to move for approval of this resolution.

Mr. Stone seconded the motion.

Mr. Givens:

The resolution, as presented before me here, it pre-empts state law, it is unenforceable, and I can't see how we can pass on it.

We cannot, in the City of Pittsburgh, put a moratorium on condominiums. Condominium Law comes under the State of Pennsylvania. I have to agree with some of what has happened throughout the Country, Washington DC being one area, where they are having problems with the condominiums. I don't think we are having that problem right here, with a little research of my own, in 58,000 rentals that I think we have in the City of Pittsburgh, these are rentals that are identifiable, there are only 1,000 of these—these are units—58,000 units of rental property, only 1,000 are of a condominium nature. This is a preliminary search—very quickly. I don't think we have a problem in the City of Pittsburgh, however, I'm not saying that we can't have it, but I am saying this resolution, indicating that we have a six month moratorium is not legal. Only the

State can put a moratorium on condominiums and the Condominium Law because that is not a local law, that is a State law.

Mr. Robinson:

Mr. President, if I might, again, I think Mr. Givens has not interpreted this particular resolution in the proper fashion. I went to great pains to explain to certain people in the media and those who feel they are affected by this situation, some attorneys and some others, that while this particular resolution does not have the force of law, it is intended to let the concern of Council on this issue be known to many residents in our City who are affected by the potential for condominium conversion. As many of you know, the Gateway Towers situation is just one point in question. Our City Treasurer right now is conducting an investigation relative to some tax matters relative to that conversion.

There is a New York firm here in the City, I believe it is Hoffman and Hoffman, that is engaged in conversion of rental units into condominiums and there are some questions about the manner in which they are operating.

I think the situation is a little more serious than Mr. Givens is suggesting. What I would like us to do is to be on top of the situation, to be out in front of it instead of waiting for someone to call for a gigantic public hearing and have a big chaotic kind of situation. I'm requesting this Council to express some sort of concern for this issue. Perhaps what should have been in this resolution, and I wasn't quite sure if it was appropriate, because I certainly did not want to be accused of tampering with the Administration of the City, is that I should have requested or implored the Mayor to initiate such action. While I recognize that there are applicable State law, I think, certainly, this Council can request, and that is what we are doing, requesting—the appropriate agencies to initiate some type of activity which would in fact stop condominium conversions for six months. This is done all the time by Administrative procedure, particularly when we feel that there is something that is not in the best interests of our citizens. This is not Mr. Givens, an attempt to supercede State

law, this is an attempt to address a problem that many of our citizens have and more and more of them are coming forward and saying they are glad that City Government is willing to express their concern. That is my purpose.

Mr. Givens:

I have to agree with your purpose Mr. Robinson, but the one thing that I cannot, as a Councilman of the City of Pittsburgh, condone—that is something that is not legal, you are asking that this City government and any other city government place a six month moratorium on condominium conversion, we can't do that, that's what I'm saying.

Mr. Robinson:

What is the applicable State law since you are an attorney and a legislature?

Mr. Givens:

You drafted the thing, I hope you did your proper research.

Mr. Robinson:

Then I would trust that you would trust my opinion for once.

The Chair:

Mr. Robinson and Mr. Givens, if I may—

Mr. Givens:

I didn't vote on it.

The Chair:

I have mixed emotions on the resolution myself. In regards to free enterprise I am not one to try to interfere, with the exception that we do have many condominiums being built or being converted, and high rises, per se, and tragically, the rents are starting at \$500 and up and there is no lack of takers, so apparently there are people in the City of Pittsburgh who want condominiums, high rises and can afford to pay.

My concern is—and I will go along with the resolution because since the Housing Act of 1949 which was specifically to eradicate ghettos and to provide housing for people in

the poor classifications and middle income groups and they haven't made a dent in that regard—in fact, its been only a promise for 30 years and they have done very, very little. I discussed that with Mayor Caliguiri. I felt that Renaissance II was all right, but at the same time, until housing, or adequate housing for poor class and middle class people was supplied, that I didn't feel like going along with Renaissance II.

In that respect, until we can supply the housing for the people in those groups—and maybe this can bring it to a head—we're going to make people aware of the fact that we haven't kept our promises to the people of the middle income groups and the poorer or poor income groups. This is my only concern and this is why I'll go along with the resolution.

Mr. Robinson:

Mr. President, it also indicates in the third line from the bottom, that the six month moratorium would be in effect, or until such time that a suitable plan or appropriate legislation is drafted to address this issue and its impact to renters of the City of Pittsburgh. Both Mr. Lurcott and Mr. Brophy will be coming before us within a six month period—before six months is up.

The Chair:

I don't mean to dispute Mr. Givens, but we are not setting a precedent, it wasn't too long ago we set a moratorium on any major projects in the Beltzhoover and Mt. Washington, so apparently that was a state law also, and yet we did pass the moratorium, and didn't get too much flack from that outside of some of the developers.

Mr. Lally:

Bill, are you talking about the conversions that are going out at the present time?

The Chair:

No.

Mr. Lally:

What's going to happen with this? Just any new conversions?

Mr. Robinson:

No, this is not an attempt to stop anyone that has already started—

Mr. Lally:

I mean you have five or six at the present time being converted.

Mr. Robinson:

One reason Jim, that I thought that six months would be appropriate is that a number of legal problems are cropping up—some real legitimate issues, I believe this is why Senator Romanelli did draft legislation to introduce it into the State Senate, it did pass the Senate, because I think he also is feeling the pressure from people who recognize that perhaps there are some issues here other than simply the case of a person taking their own private property and turning it over.

Let me just give one example of one of the problems that has cropped up. On certain types of property that are leased, you don't have to pay transfer tax, etc., when they are sold. In the Gateway Towers situation, that project is worth about \$13 Million. Tax should be paid on roughly \$13 Million, so one attorney said—and this case is in court—the people who own the development now are saying that they should only pay taxes on \$1.5 Million because a portion of their agreement is covered by a lease and therefore the taxes are not relevant. But this is one of the issues that Mr. Donahoe is investigating. The whole issue of the transfer tax.

Question: while individual condominiums will bring more monies into the City of Pittsburgh because of tax dollars, we are going to have a lot of people who are renters who are going to be displaced and as Mr. DePasquale indicated, we have a very serious problem providing housing for low and moderate income people and for people who want to rent or who cannot afford to buy. There are some people who can only afford to buy now, condominiums. But the vast majority of people, their problem is one of trying to rent or lease a facility in an atmosphere in which landlords are finding it increasingly difficult to maintain their properties. I'm saying, before we have a very touchy crisis or any kind of situation,

maybe we should request as representatives of the public, that everyone just slow down until we can come up with some sort of plan and get a handle on the situation.

Mr. Givens:

Mr. President, I only have one reservation with the resolution and I so stated it, that we cannot, and nor do we have the authority to ask for a six month moratorium. We don't have it, period. What comes down from the State House, that is where it has to originate. We can so request that this be looked into, I'm very concerned about this too.

I'm also concerned about the Gateway Center, that we are losing money down there, but Gateway Center is not something for the low and even moderate income. I don't think I can live at the condominiums as advertised right now and get the type of floor space that I need for my family, for example, even if I'm down to one or two. Because that is downtown prime real estate and they're asking prime cost for it.

I don't think there is a problem here yet, in the City of Pittsburgh, there could be one, I wouldn't even say in the near future, because if we only have 1,000 condominium units right now in the City of Pittsburgh, I don't think that is an alarming rate right now when you take in all of the rental properties that we have.

There is a free enterprise principal here too, that one must take into consideration along with everything else. That free enterprise system is to go out there and make a living and earn a living and do something and be able to get ahead with your money. I think what is happening to the condominium, when people buy a particular apartment building, and I'm very cognizant of that myself in the fact that I own one, that the energy costs are forcing the people who own rental property, almost forcing them out. In order for a person in the rental business to raise his rent he is going to lose his people that are renting there. We are going to force people really, into the ghetto area, that are now living in a modern type environment. You know, what is wrong—what is so wrong with giving a person a little piece of the rock? The con-

dominium does exactly this, gives the person a little piece of the rock. Now, if everything in the town is condominium, I'd say yes, there is something wrong, ho, hold your horses, but I don't think that is the case here and I don't think it will be the case. And, as I indicated, if Mr. Robinson would like to take out that six month moratorium, I'd be more than happy to go along with it and to explore these areas that he is bringing out.

The tenants have certain rights too, State law normally, and other states that I have looked at will give the tenant the right, that if a particular building goes into a condominium and if a tenant lives in that particular building, he has a right to continue renting in that particular building, so, I don't think it is legal and for that reason, I think that it makes the whole resolution invalid.

The Chair:

Well, if Mr. Robinson takes out the six month moratorium, there is no resolution.

Mr. Givens:

Yes, the resolution is here, there is a potential problem that he is addressing and he is asking everyone to be considerate of this particular problem, I'd go along with that. But, I cannot go along with something that is not legal.

Mr. Robinson:

Mr. President, if I might, I don't want to belabor this point. Just one other point of clarification perhaps for the other Members of Council who are confused, like Mr. Givens is on this particular issue—

Mr. Givens:

They are your words, not mine—I'm not confused one bit.

Mr. Robinson:

If you read down through the legislation, I think you will see that we request and recommend again, again, there is no way in the world that we can request or recommend anything to be done that is illegal for it to have any weight.

Mr. Givens:

I agree with that.

Mr. Robinson:

Fine, so I think your point—

Mr. Givens:

I agree that you don't have the authority to do it and this Council doesn't have the authority to do it and that is my main point.

Mr. Robinson:

Mr. Givens if you would please afford me the opportunity of finishing, please? Thank you. What I am suggesting to you is that those appropriate agencies in City Government that would address this issue of condominiums exercise that discretion which they do have and there is a great deal of discretion that our Planning Commission, the Mayor and others have, just as this Council has, to indeed address this issue within a six month period of time.

What I am very hopeful for, Mr. Givens, is that Senator Romanelli's actions, both his hearing and the legislation that is now in the State House, as well as the activity of a number of groups and organizations, Mr. Brophy and Mr. Lurcott working on this matter, that perhaps even a person like yourself, as you said, who is a property owner and feel—

Mr. Givens:

Well, I might suggest that Senator Romanelli is one of fifty in a lot of Senators might have some strong feelings on this matter as well as other people and that is only one part of the House, you have the other part of the House, I'm saying we don't have a problem right here in Pittsburgh to my knowledge as of this time. We could some time in the future, the only thing I'm saying is that it is not legal what you're doing right here by trying to impose a six month moratorium. It is asinine.

Mr. Robinson:

If you would let me finish please. Thank you. I am sure that a plan or some appropriate legislation will be enacted to ad-

dress this concern. I am just a little bit uneasy when I hear you talk about a problem that is not now here and one that we should not address now because it is not here. I will close with this comment.

I think that this Council is going to address one of the most major issues in this City which is housing. That we must be in the forefront. We have been out front on a number of other very innovative and exciting housing ventures, we have been out front on a number of other issues. I think what I am requesting is very consistent and indeed, is very appropriate for this Council, this legislative body which does pass on our various housing programs, to express our concern, express our concern on a major problem. We are not asking anyone to do anything within City Government that they generally are not doing and that is to seriously address our housing problem and to return to us, first of all with a report. We are simply asking those people of good faith, those people who can, to please slow down until we can all get a handle on this so that if it becomes a very serious problem, we will be operating in a positive atmosphere. I'm simply trying to do something positive in an atmosphere where many people have already gone to court.

Mr. Givens:

That is the body where it should be, in the courts right now, and I'm saying, in the State Legislature, not within this Council.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Lally
Mrs. Masloff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 7

Noes 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff and Mr. DePasquale-presented

No. 3714 WHEREAS, August 22, of this year is being recognized as the Jack Daniels Chapter of the American Parkinson's Disease Association Day in Pittsburgh, Pennsylvania; and

WHEREAS, the purpose of the local chapter is to serve the University of Pittsburgh Parkinson's Disease Clinic, whose purpose is to diagnose, treat and do research for Parkinson's Disease, and to provide support and information to patients, families and health professionals concerning the Parkinson's Disease; and the local chapter is named after Jack Daniels, who died of Parkinson's Disease, who was a life long resident and businessman in the Pittsburgh area; and

WHEREAS, the American Parkinson's Disease Association, appointed Attorney Harvey W. Daniels as President of the Jack Daniels Chapter of the American Parkinson's Disease Association, whose functions are to raise money to support the University of Pittsburgh Parkinson's Disease Clinic and to provide information to all area residents concerning the clinic.

NOW, THEREFORE

BE IT RESOLVED that the Council and the Mayor of the City of Pittsburgh applauds the valiant efforts of the Jack Daniels Chapter of Pittsburgh Parkinson's Disease Clinic, Jack Daniels whose name the local chapter is named after; and Attorney Harvey W. Daniels, who has been appointed President of the local chapter, and recognizes August 22, 1979, so as to draw public attention and resources to this noble pursuit.

Mr. Masloff moved for approval.

Mr. Givens seconded the motion.

Which motion prevailed.

The Chair:

Mr. Daniels was a long time friend of mine and I certainly am glad to see this resolution passed.

Mr. Stone:

Mr. President, if I may, just last week Judge Sylvestri made a legal decision in regards to the Market Square project. Before that decision was actually made, it was the intent of City Council and the City of Pittsburgh, URA and PPG, to deal fairly and in fact, better than fairly with property owners and tenants. I believe this record should reflect today, and we would like to make it very clearly understood that that legal decisions shall not in any way adversely affect those litigants or any or all of the other property owners or tenants as a practical matter, because the intent of this Council, this City, the URA and PPG is still to deal fairly and better than fairly with all the property owners and tenants. This matter will continue to be monitored, but in line with what we had all represented. I think that should be placed clearly on the record.

The Chair:

That is well noted Mr. Stone.

Mr. Givens:

Mr. President, I think we have lost a very beloved Cardinal Wright from the City of Pittsburgh and I would hope that we will have a resolution to that effect after our adjournment, we just didn't have time to get one up in regards to the Cardinal. If we could have may be 30 seconds of prayer and mourning for the beloved lost Cardinal Wright.

The Chair:

Your resolution and motion is very much in order as Mr. Givens state, we are all aware that Cardinal Wright, former Bishop of Pittsburgh has passed away, we will all observe a 30 second moment of silence and prayer. Thank you.

MOMENT OF SILENCE IN HONOR OF CARDINAL WRIGHT.

Mr. Stone moved to excuse Michelle Madoff for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

I move to adjourn this meeting and meet

again Tuesday, September 4, 1979 at 2:00 P M.

Mr. Lally seconded the motion.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Tuesday, September 4, 1979

No. 35

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Tuesday, September 4, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	(Pres't pro tem)
Michelle Madoff	

ABSENT: Mr. DePasquale

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3715 Resolution providing for the issuance of warrants in favor of the following members of the Department of Police for partial financial replacement for items

damaged while on duty; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3716 Resolution amending Resolution No. 128, effective March 1, 1979, entitled: "Resolution providing for an agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility located at 101 Bon Vue Street, 26th Ward, City of Pittsburgh," by increasing the total amount authorized to \$193,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Also

No. 3717 Communication from Glenn Cannon, Director of Emergency Medical Services, requesting permission for Messrs. Ceroni and Kennedy, to attend Hazardous Materials Seminar, Allentown, Pa., Oct. 29-Nov. 1, 1979, at cost not to exceed \$1,200.00, payable from Code Account 1421, Miscellaneous Services, Department of Emergency Medical Services.

Also

No. 3718 Communication from Glenn Cannon, Director, Department of Emergency Medical Services, requesting permission to attend Association of Ambulance Operators of Pennsylvania meeting, Hershey, Pa., Sept. 20-23, 1979, at cost not to exceed \$500.00, payable from Code Account 1421, Miscellaneous Service, Department of Emergency Medical Services.

Also

No. 3719 Petition from the No. 3 Police District Police - Citizen Council, requesting a hearing before City Council to present a number of petitions signed by numerous City residents dealing with the lack of Pittsburgh Police Officers in our City Parks.

Also

No. 3720 Communication from George Miller, President, Esplen Citizens Council requesting a hearing due to lack of police protection in the community of Esplen.

Which were severally read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3721 Resolution providing for the issuance of a warrant in favor of R & S Equipment Company in the amount of \$414.50 for repair work done on air tools at the Construction Division and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3722 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the soil study and foundation design for the Franum and Radcliffe Street Bridges, and providing for the payment of costs thereof.

Also

No. 3723 Resolution providing for an Agreement or Agreements with the Borough of West Mifflin and the A.C.R.O. Corporation to drain a 6.1 acre parcel of land, located partially in the City of Pittsburgh, into the City of Pittsburgh storm sewer system and also permit the Corporation to install streets and sewer systems in each Municipality and their acceptance by each Municipality.

Also

No. 3724 Resolution amending Reso-

lution No. 299, approved April 6, 1979, effective April 11, 1979 entitled "Providing for a Contract or Contracts for the grading, paving, and curbing of Benton Avenue from California Avenue to Brighton Road, including the reconstruction of a waterline, the replacement of a public sewer and other work incidental thereto; including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements, with the Commonwealth of Pennsylvania, Department of Transportation, and providing for the payment of costs thereof," by deleting Section 3 thereof.

Also

No. 3725 Resolution providing for a Contract or Contracts or the utilization of existing Contracts for the Installation of Catch Basins at Various Locations through out the City and other work incidental thereto (PW 79-28); and providing for the payment of costs thereof.

Also

No. 3726 Resolution providing for a Contract or Contracts for Traffic Signal Installation Various Locations (PW 79-23); and providing for the payment of costs thereof.

Also

No. 3727 Resolution providing for a contract or contracts for the grading, paving and curbing of Rialto Place, from Rialto Street to its northeasterly terminus, including, as may be necessary, the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto, and providing for the payment of costs thereof.

Also

No. 3728 Resolution further amending Exhibit 1 of Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution

No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977 as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379 effective December 12, 1978, as amended by Resolution 108, effective February 16, 1979, entitled "Resolution approving 1976 Capital Improvements Projects; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; providing for the payment of the costs thereof" by reallocating funds and creating new line item.

Also

No. 3729 Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended by Resolution No. 82, effective February 17, 1977, as amended by Resolution No. 410, effective May 16, 1977, as amended by Resolution No. 632, effective July 21, 1977, as amended by Resolution No. 905, effective October 6, 1977, as amended by Resolution No. 1019, effective October 27, 1977, as amended by Resolution No. 1337, effective December 31, 1977, as amended by Resolution No. 82, effective February 27, 1978, as amended by Resolution No. 308, effective March 30, 1978, as amended by Resolution No. 1380, effective December 12, 1978, entitled "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; by reallocating funds and re-designating projects authorized for the Department of Public Works.

Also

No. 3730 Resolution further amending exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978 entitled "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Fun-

ds; transferring Bond Funds to said Capital Funds," by decreasing the amount of funds in various line items and transferring funds between projects.

Also

No 3731 Resolution further amending Exhibit 1 of Resolution No. 1589, approved December 30, 1978, effective January 1, 1979, as amended by Resolution No. 622, approved June 27, 1979, effective July 10, 1979, entitled: "Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds" by reallocating funds.

Also

No. 3732 Resolution repealing Resolution No. 642, approved August 2, 1976, effective August 9, 1976, as amended by Resolution No. 94, approved February 17, 1978, effective February 27, 1978, as amended by Resolution No. 228, effective March 13, 1979, entitled, "Resolution providing for a Contract or Contracts for the reconstruction of Crane Avenue from Saw Mill Run Boulevard to Beechview Avenue (PW 76-16); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Also

No. 3733 Resolution vacating Bray Street from the northerly line of Braywood Way to the westerly line of Lot No. 31, as laid out in the Bellemrer Plan of Lots in the Fifteenth Ward of the City of Pittsburgh.

Also

No. 3734 Resolution granting Albert N. Watts, owner of a two story aluminum siding dwelling at 1617 Manhattan Street in the 21st Ward of the City of Pittsburgh.

Also

No. 3735 Communication from John Ruff, Director, Department of Public Works, requesting interim approval of payment of

\$5,300.00 for extra work in connection with reconstruction of public sewer in Glenn Way, Controller's Contract No. 23880.

Also

No. 3736 Communication from John Ruff, Director, Department of Public Works, transmitting traffic regulations on E. Sycamore Street and other streets listed therein to be instituted for a trial period of 60 days.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3737 Resolution amending Resolution 699 of 1979, providing for a Supplemental Agreement or Agreements with Opportunities Industrialization Center, Inc., of Pittsburgh, for services in connection with the Minority Contractor Bonding and Assistance Program, increasing the amount from \$542,300.00 to \$1,542,300.00 and extending the term of the Agreement from September 30, 1979 to June 30, 1980.

Which was read and referred to the Committee on Planning, Housing and Development

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion

Which motion prevailed.

Also

No. 3738 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 3 by changing from "S" Special District, "R1" One-Family residence District and "M1" Limited Industrial District to "RP" Planned Residential Unit Development District all that certain property bounded by: Elmdale Road; Behrens Way; a line parallel to Jerome Street located

100 feet south of the southerly right of way line of Jerome Street; Rodler Way; Coverdale Street; Lot Numbered 87, Block 18-B in the Allegheny County Lot and Block System; Effingham Way; Lot Numbered 1, Block 18-C in the aforesaid system; Lot Numbered 76, Block 19-R in the aforesaid system; Kearns Avenue; Irondale Street; Lot Numbered 120, Block 18-F in the aforesaid system, Lot Numbered 40, Block 18-C in the aforesaid system; the northerly and westerly line of Lot No. 1 in the Revision No. 1 Shadyhill Plan of Lots No. 2, Alcon Street; the westerly line of Lot No. 1 in the Shadyhill Plan of Lots No. 2; the municipal boundary line of the City of Pittsburgh & Greentree Borough, 28th & 20th Ward.

Also

No. 3739 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 5 by changing from "R1" One-Family Residence District to "R2" Two-Family Residence District all that certain property bounded by: Van Buren Street; Highridge Street; Oval Way; Rodenbaugh Avenue; 26th Ward.

Also

No. 3740 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8 by changing from "C1" Neighborhood Retail District to "R2" Two-Family Residence District certain properties in the Beltzhoover area, having frontage on Climax Street; Freeland Street; Gearing Avenue; Lafferty Avenue and Proxim Way 18th Ward.

Also

No. 3741 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 18, by changing from "S" Special District to "R1" One-Family Residence District all that certain property bounded by: Beechwood Blvd., to "R1" Zoning District boundary line south and east of Gilda Avenue; Lot No. 120, Block 128-N in the Allegheny County Block and Lot System; Lot No. 50, Block 88-S in the aforesaid

system, Lot No. 100, Block 88-D in the aforesaid system; 14th Ward.

Also

No. 3742 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps Numbered 12 and 17 by changing from "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: Beacon Street; Lots Numbered 169, 283, Block 86-P in the Allegheny County Block and Lot System; Lots Numbered 6, 7, 14, 20 and 50 in the aforesaid system, 14th Ward.

Also

No. 3743 Resolution approving a Conditional Use under Section 993.01-(a)-A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Beacon Towers Housing Corporation, for construction of a six-story building to house 101 units of housing for the elderly on property having 280 feet of frontage on the northerly side of Beacon Street west of Murray Avenue being Lots 166, Block 86-P in the Allegheny County Block and Lot System and Lots Numbered 54, 58, 68, Block 86-R in the aforesaid system, 14th Ward.

Also

No. 3744 Resolution approving a Conditional Use under Section 993.01-(a)-A-14 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to Shadyside Hospital to construct a four story office building and a six story parking garage on certain property zoned "R5" Multiple-Family Residence District identified as Lots Numbered 126 and 150, Block 51-R and Lots Numbered 7 and 10, Block 51-L in the Allegheny County Block and Lot System, located on the southerly side of Centre Avenue and westerly side of South Aiken Avenue, 7th Ward.

Also

No. 3745 Resolution providing for an Agreement or Agreements with the Southwestern Pennsylvania Regional Planning

Commission for payment to the City in connection with work performed to carry-out the 1979-80 Unified Planning Work Program.

Also

No. 3746 Resolution authorizing a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of the Neighborhood Commercial Improvement Program at a cost not to exceed \$890,000.00.

Also

No. 3747 Resolution amending Resolution No. 735, approved August 20, 1979 entitled Resolution providing for a Supplemental Agreement or Agreements with ACTION-Housing, Inc. for professional services in connection with the Department of Housing's Neighborhoods for Living Center by changing the source of funds.

Also

No. 3748 Resolution amending Resolution No. 831 approved July 31, 1978 and Resolution No. 995 approved August 28, 1978 entitled: "Resolution providing for a Cooperation Agreement with Community Human Services, a non-profit organization for the renovation of a building located at 372 Lawn Street, Pittsburgh, PA 15213 for domiciliary care of the area residents" by revising Section 1 to reflect an increase of funds necessary to fully complete the proposed renovation and a change in the City Trust Fund from which the increase in costs of said agreement is to be paid.

Also

No. 3749 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in a connection with the Manchester Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Manchester Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special

Trust Fund in connection with the Project and providing for the deposit of the funds in a bank account.

Also

No. 3750 Resolution providing for an Agreement or Agreements with Manchester Citizens Corporation for services in connection with The Manchester Project and providing for the payment of the cost thereof.

Also

No. 3751 Communication from Robert Lurcott, Director of City Planning, requesting to participate in two American Planning Association Conference workshop panels, Baltimore, M.D. at cost not to exceed \$550.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also

No. 3752 Communication from Paul Brophy, Director, Department of Housing, requesting permission for 20 Inspectors from the Department of Housing, Bureau of Building Inspection, to attend two-day Sprinkler System Workshop sponsored by Pennsylvania State University, Pittsburgh, Pa., September 11-12, 1979, at cost not to exceed \$1,060.00, payable from Code Account 1376, Department of Housing Bureau of Building Inspection.

Also

No. 3753 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Lou Daniel, Department of Housing Neighborhoods for Living Center, to attend Third Annual Exchange Congress sponsored by City of Shaker Heights, Ohio, in relation to marketing the City and the neighborhoods, Shaker Heights, Ohio, October 8-9, 1979, at cost not to exceed \$300.00, payable from Code Account 1371, Administration, Department of Housing.

Also

No. 3754 Communication from Edward deLuca, Director, Department of City

Development, requesting permission to participate in Annual Minority Business Opportunities Council conference, Dallas, TX, October 14-17, 1979, at cost not to exceed \$530.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Also

No. 3755 Communication from Stephen A. George, Ex. Director, Urban Redevelopment Authority of Pittsburgh, submitting Financial Statements dated December 31, 1978.

Which were severally read and referred to the Committee on Planning, Housing and Development

Mr. Lally presented

No. 3756 Resolution providing for the issuance of a warrant in the amount of \$5,788.00 in favor of James Karis Inc., 3231 West Carson St., Pittsburgh, Pa. 15204, in payment for the demolition and removal of the 3 story brick and frame dwelling, store and garage located at 2209 Forbes Avenue, 4th Ward, and providing for the payment thereof.

Also

No. 3757 Resolution providing for the issuance of a warrant in favor of W. G. Dubin and Company in the amount of \$1,448.23 in payment for emergency work furnished for the benefit of the City in connection with installation of new doors at the Sixth Division' and providing for the payment thereof

Which were read and referred to the Committee on Finance.

Also

No. 3758 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole and one (1) anchor on City property fronting on Broadhead-Fording Road, 28th Ward.

Also

No. 3759 Resolution providing for the filing of a petition or petitions for the sale of

certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also

No. 3760 Resolution amending Res. No. 1027, app. 12/27/76 for the sale of property in the 29th Ward on Nobles Lane to William R. Hutton & Dorothy Mae Hutton, his wife, for the sum of \$1,000.00 delete parcel 60-E, Lot 111 and reduce sale price to \$800.00 for the reason this parcel was not taken in the name of the registered owner. All else to remain the same.

Also

No. 3761 Resolution repealing Res. No. 1437, app. 12/14/78, for property in the 17th Ward, being a 2 sty. brk. dble. hse. on 20-22 Enon Way, Block 3-M, Lot 332, to William F. Opferman and Michael Cunningham for the sum of \$900.00. Purchaser have failed to comply with agreement of sale. Hand money in the amount of \$100.00 to be forfeited.

Also

No. 3762 Resolution repealing Res. No. 168, app. 2/28/77 which authorized the sale of property in the 5th Ward being two 2 sty. brk. hses. on 2041 Centre Avenue and 507 Erin Street, Block 10-N, Lot 287, to Ewari Ellis for the sum of \$1,500.00. Hand money of \$150.00 to be forfeited and sale cancelled. Purchaser failed to complete sale as per agreement.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3763 Resolution providing for the issuance of a warrant in favor of Dick Enterprises, Inc., P. O.Box 10896, Pittsburgh, PA 15236, in the amount of \$53,700.00 in payment for relay of the 16" water main in Royal Street and providing for the payment thereof.

Also

No. 3764 Resolution providing for the issuance of a warrant in favor of Earth Movers Supply Company, 4 Bridge Street, Etna, PA 15223 in the amount of \$340.00 in

payment for repairs to four geophones, furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3765 Resolution providing for the issuance of a warrant in favor of Pascoe Equipment Company, R.D. 2, Oakdale, PA 15071 in the amount of \$2,988.00 in payment for rental of a loader and backhoe, furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3766 Resolution amending Resolution No. 412, approved May 9, 1979, effective May 11, 1979 entitled "A Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 17960 in the amount of \$9,000.00 in payment for the sealing and plugging of three 30" outlets furnished for the benefit of the City in connection with the Rehabilitation of Sedimentation Basins Nos. 1, 2 & 3, City Controller's Contract No. 23098-F and providing for the payment thereof" by changing the source of funding from Bond Fund No. 230 Department of Water to L.P.M.E.A. funds.

Also

No. 3767 Resolution transferring \$100,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees, Distribution Division, to Code Account No. 1700-1, Premium Pay.

Which were severally read and referred to the Committee on Finance.

Also

No. 3768 Resolution providing for an agreement or agreements with the American Chain and Cable Company, Inc., for professional instructional services in connection with instruction of Department of Water personnel in the maintenance and repair of the supervisory control system within the Purification and Pumping Division; and providing for the payment of the cost thereof.

Also

No. 3769 Communication from John C. Miller, Director of Water, submitting Annual Report for 1977, for the Department of Water

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3770 Resolution authorizing the issuance of a warrant in favor of James C. Eastley, Inc., in the amount of \$9,044.14 in payment for work performed at Schenley Engineering Building and Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3771 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$320.68 for gravel to fill lower pond at Aqua Zoo.

Also

No. 3772 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$716.28 for cold cup lids to be used in concession stand at Pittsburgh Zoo.

Also

No. 3773 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$14,070.00 for extra work in connection with Cowley-Goettman Pool, Project No. 76-PR-10.

Also

No. 3774 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$2,900.00 for extra work in connection with site improvements work and

construction of Serpentine Drive Extension at Pittsburgh Zoo, Controller's Contract No.s 23042 and 23042-F.

Also

No. 3775 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$6,850.00 for extra work in connection with Magee Recreation Center, Project No. P-7607.

Also

No. 3776 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$2,290.00 for extra work in connection with renovation of fitter room at Phillips Park Swimming Pool.

Also

No. 3777 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$10,095.90 with credit of \$2,198.00 for extra work in connection with construction of Banksville Pool and Bathhouse, Controller's Contract No. 23217-F.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3778 Resolution authorizing issuance of a warrant in favor of Allied Chemical Company in the amount of \$13,776.75 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Also

No. 3779 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$16,488.46 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof

Also

No. 3780 Resolution providing for the issuance of a warrant in favor of Meyers Tire Supply, in the amount of \$3,856.60 in payment for emergency purchases needed to repair certain City vehicles, and for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 3781 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of six (6) trousers, ten (10) oxygen regulators, ten (10) sphygmomanometers, ten (10) 9 way oxygen wrenches, and thirty-six (36) cylinder wrenches for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3782 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fifteen security for the Department of Parks and Recreation, and for the payment thereof.

Also

No. 3783 Resolution providing for the letting of contract or contracts for the furnishing and delivery of two (2) pneumatic lifting bags for the Department of Emergency Medical Services and for the payment thereof.

Also

No. 3784 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) stretchers for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3785 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of three (3) power cutters, three (3) extension hoses, and six (6) cutting blades for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 3786 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a screen printing press for the Painting Division, Bureau of Operations, Department of Public Works, and for the payment thereof.

Also

No. 3787 Resolution providing for the letting of a contract or contracts for the maintenance, rental, inspection or servicing of personal property owned by the City of Pittsburgh and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh during the calendar year 1980, and providing for the payment thereof.

Also

No. 3788 Resolution providing for the letting of contracts for materials, general supplies, equipment and machinery by the several departments of the City Government, for the year beginning January 1, 1980 and for the payment thereof.

Also

No. 3789 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of combined tapping or drilling machines for the Dept. of Water and

for the payment thereof.

Also

No. 3790 Resolution providing for a contract for the furnishing, delivery, and installation of a High Density Movable Storage File Unit System for the Department of City Treasurer, and providing for the payment of the cost thereof.

Also

No. 3791 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$3,550.46 for purchase of chemical alum from Allied Chemical Company to be used in the Water Treatment Plant, to be payable from Code Account 1750 Chemicals Department of Water.

Also

No. 3792 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$4,737.76 to Allied Chemical Co. for purchase of chemical alum to be used in the Water Treatment Plant, payable from Code Account 1750 Chemicals Department of Water.

Which were severally read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 3793 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Labor for a grant in connection with the Comprehensive Employment and Training Act, as amended, Title III Project providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Comprehensive Employment and Training Act, as amended, Title III Project, providing for required assurances providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the CETA Trust Fund.

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 3794 Resolution providing for the issuance of a warrant to Aeration Processes, Inc., in the amount of \$18,170.42, in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 3795 Resolution providing for the issuance of a warrant to Esther Suelzle in the amount of \$3,843.00 in full settlement of claim for property damage; and providing for payment thereof.

Also

No. 3796 Resolution providing for the issuance of a warrant to Erie Insurance Group and David A. and Gayle DeTillo in the amount of \$3,700.00 in full settlement of claim of automobile damage and providing for payment thereof.

Also

No. 3797 Resolution providing for the issuance of a warrant to Gerald T. and Gayetta Bowman in the amount of \$1,180.05 in full settlement of claim for automobile damage and providing for the payment thereof.

Also

No. 3798 Resolution transferring the aggregate sum of \$550,000.00 from Code Account Nos. 55 and 56, to Code Account No. 46, Judgments.

Also

No. 3799 Resolution providing for an agreement or agreements with Annamarie

Kresh for the implementation of a new filing system in the Department of Law; and providing for the payment of the cost thereof.

Also

No. 3800 Resolution providing for an agreement or agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Also

No. 3801 Communication from Mead J. Mulvihill, City Solicitor, requesting permission for Assistant City Solicitor Grace S. Harris to attend Pennsylvania Bar Institute Bankruptcy Seminar, Pittsburgh, PA, October 19, 1979, at cost not to exceed \$50.00, payable from Code Account 1075, Miscellaneous Services, Department of Law.

Also

No. 3802 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Regina Hanna and Keith Cameron, to attend State Employment and Training Council annual review of fiscal 1980 Comprehensive Employment and Training Plan, Hershey, Pa., August 30, 1979, at cost not to exceed \$275.00 payable from CETA Trust Fund.

Also

No. 3803 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Albert Schempp, to attend Regional Training Center of U. S. Office of Personnel Management meeting to receive technical assistance and review resource materials regarding EEO/Affirmative Action, Philadelphia, Pa., August 23-24, 1979, at cost not to exceed \$250.00, payable from Department of Personnel and Civil Service Commission Code Account B-20, Item Services, N.O.C.

Also

No. 3804 Communication from Melanie

Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Director Smith and Mr. Fields to attend meeting in Washington, D.C. with Department of Labor officials regarding waiver of 78 week limitation on public service employment September 10, 1979, at a cost not to exceed \$300.00, payable from CETA Trust Fund.

Also

No. 3805 Communication from John E. McGrady, City Controller, submitting Audit Report of the Department of Parks and Recreation, Pittsburgh Zoo Commission for a 12 month period from October 1, 1977 to September 30, 1978.

Also

No. 3806 Communication from David L. Donahoe, City Treasurer, submitting a report of Deposits and Market Value of collateral security pledged by City Depositories to secure same as of July 31, 1979.

Which were severally read and referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have a letter that was sent to me on August 10th, but I got it later, from the Legal Department with reference to the hearing tomorrow, which is —

The Chair:

In reference to what?

Michelle Madoff:

The hearing that was scheduled tomorrow, September 5th in Council, from Mead Mulvihill, and it reads:

"Councilwoman Madoff has requested that I be present in Council on September 5 to discuss the West End Elliott matter. As noted in my memorandum of March 29

relating to public hearings involving potential claims for lawsuits, the Law Department is concerned about discussion at Council hearings of the City's legal position during the investigation of potential claims."

He goes on to say, I don't want to read the whole letter, that he will be here if we want him but he wants to be sure we don't discuss the legal aspects.

As I recall, the reason for having Mead Mulvihill here, and after we had a report from the people in West End, was not to discuss any of the legal problems, but to do in effect what we did for Royal Street and other areas, pay the people and make some arrangements for payment and then when we find out who is responsible we can handle the legalities later

I still think we should continue to have them —

Mr. Perry:

That is a Post Agenda item.

Michelle Madoff:

For tomorrow — I presume he is not thrilled about coming, but I think it is important. These people do not have insurance, it is a major problem, they haven't any money to pay their bills and I think we have a responsibility to treat everybody equally and I would like to continue and have them here as a Post Agenda item tomorrow.

The Chair:

Just in fairness, on that over on Royal Street, that was in connection with protecting our pipeline. That was not a gift or a grant or an advancement to property owners, but rather we had, I think a sixteen inch pipe as I recall —

Mr. Lally:

A twenty-four inch pipeline.

The Chair:

Right, a twenty-four inch pipe, and I

think that the reason for that advancement of monies was to protect our City property.

Michael Madoff:

It was not entirely that, I think if we check we will find that partially, we found that later, but we went in to take the houses down because we had potential damages and we didn't know where the responsibility lays, we still don't know where the responsibility is on either case and we have another example where we put out some money to help people out.

The Chair:

The only thing I am pointing out is that there was some legal basis for going in there, that's all I'm saying.

Michelle Madoff:

I understand, but all I am saying is that I think these people are really too poor to hire attorneys, it would cost them more to do that and we ought to at least deal with the problem tomorrow for them, the aspects of how can we help them.

I have a couple of other items — unfortunately there wasn't enough time today to prepare a resolution, and I don't know if it should be a resolution or an ordinance and perhaps it shouldn't even be prepared until Mr. Walker comes before Council either at a post agenda or at another time, to discuss handicapped and elderly people who cannot bring their garbage to the front when we the three pick ups which are replacing the Pa Pitt. I understand that there is no problem, I have checked with the Refuse Department, they are willing to do it and can do it providing it hits the computer. I presume a doctor's letter or some letter from an acceptable agency, maybe an aging agency of some sort would exempt certain people, I think we have a responsibility to look at that. I've had, I'm sure, as other members of Council have had a lot of calls on that problem

My last request is that we schedule a hearing with Maribeth Salley and the Mayor's Service Center and members of the Mayor's Office to discuss why members of

Council such as myself, and again I am speaking for myself, but I have spoken to many other members, have a workload of something like — 40% or 60% of our work is following up on work that should be handled by the Administration end of the City. People who are coming to us because they haven't had satisfaction or some problem with street lights, or whatever the problem is, the snow removal or the garbage removal. I think it is imperative that we hold that hearing now, that we address it now because perhaps the answer, like 911 and Mayor's Service Center, I think are probably the two key priority items, and I don't mean priority in the sense of paramedics or what you put as a priority, but in the sense that the first contact our citizens have with the City is when they have an emergency, who answers that phone on 911 and the other one is when they have a problem and nobody deals with that problem. Maybe we have to expand the Mayor's Service Center, put in more qualified or more people, or the qualifications are acceptable but we ought to think about it so we can be prepared in the budget for next year, and I would like to schedule a hearing for the Mayor's Service Center and that would include the people from the Mayor's Service Center and Maribeth Salley.

The Chair:

You are not asking for Post Agenda, you are asking for a hearing?

Michelle Madoff:

It would be the will of Council, I would assume that if we advertise it that could become very involved and we could have a lot of people saying, "I've been in touch with the Mayor's Service Center, etc., I've never had an answer." I know that I have been in Mr. Coyne's office numerous times and he'll say to me, "I shouldn't be getting this call," or other people, Mr. Bulls, "What am I doing with this?", it should have been handled, and frankly, this job isn't a full time job, it's a time and a half, plus, plus because the volume is unbelievable. I'm moving out of my office just so I can deal with the paper work, nevermind the hours I have to put in. I

think that, in the real world, let's not bury it, let's deal with it, if it means budget money, let's come up with some money.

I have to ask you the same question? Is this Post Agenda, or a hearing?

Michelle Madoff:

I would think that a hearing would be more in order because I think the time involved, but if Council doesn't want to give the time, I'll go with the Post Agenda.

The Chair:

You'll have to take that up with the President on hearings, okay?

Mr. Givens presented

No. 2807 WHEREAS it has pleased Almighty God in his infinite wisdom to have removed from our midst by death, Cardinal John Joseph Wright, on Friday, August 10, 1979; and

Whereas at the time of his death, he was prefect of the Vatican's Sacred Congregation for the Clergy, and, as such, the highest ranking American in the Roman Catholic Church; and

WHEREAS, Cardinal Wright served the church here from March 18, 1959, the day of his installation as Bishop, to March 28, 1969 when he was named to the College of Cardinals; and

WHEREAS, John Cardinal Wright was an early supporter of the civil rights movement in this country; and

WHEREAS, John Cardinal Wright was a genial and witty man with down to earth sensibilities who will be remembered with warmth and affection not just by the Catholic community, but by all who knew him.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council on behalf of the citizens of the City of Pittsburgh record this tribute to His Eminence John Cardinal Wright, a great man and a great

humanitarian who brought courage and peace to those who sought it.

Which was read.

Mr. Givens moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Lally moved to excuse Mr. DePasquale for absence from this meeting.

Mrs. Masloff seconded the motion

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, August 6, 1979 and Monday, August 13, 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on motion of Mrs. Masloff

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, September 10, 1979

No. 36

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, September 10, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Mdoeff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3808 Resolution transferring the sum of \$2,000.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation, Bureau of Recreational Activities.

Also

No. 3809 Resolution transferring the sum of \$40,000.00 from Code Account No. 1420-1, Premium Pay, Emergency Medical Services, as follows: \$40,000.00 to code Account 1154, Motorized Equipment, Department of Supplies, for the purchase of a new ambulance and a portion of the replacement of cost of Rescue 1.

Also

No. 3810 Resolution transferring the sum of \$20,000.00 from Code Account No. 1457, Purchase of Uniforms and Equipment, to code Account No. 1452, Equipment and Machinery, Department of Police.

Which were severally read and referred to the Committee on Finance.

Also

No. 3811 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Uptown Basketball League for implementing the 1979 Recreation Program and providing for the payment thereof.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Coyne presented

No. 3812 Resolution amending Resolution No. 780, effective 8/22/79, entitled, "Providing for a contract or contracts for East Liberty Study Implementation (PW 79-22); and providing for the payment of

costs thereof", by increasing the amount of funds authorized.

Also

No. 3813 Resolution providing for a contract or contracts for the Installation of Sidewalk Ramps for the Handicapped (PW 78-29) and other work incidental thereto; providing for the payment of costs thereof.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3814 Resolution amending Resolution No. 937, approved October 3, 1977, entitled "Construction of a Gas Line to provide Gas Service to the City Refuse Office and Locker Facilities on 29th Street for the Environmental Services Department and for the payment thereof," by increasing the amount to \$8,515.00, and chargeable to Bond Fund No. 227.

Also

No. 3815 Resolution vacating Palmtown Way, from Brookline Boulevard to its southerly terminus in the 32nd Ward of the City of Pittsburgh.

Also

No. 3816 Communication from John E. Ruff, Director, Department of Public Works, requesting permission for Brother Richard Emenecker, to attend Fall Meeting of Pennsylvania Cable Television Association, Pittsburgh, Pa. September 26-28, 1979, at cost not to exceed \$122.00, payable from Code Account 1661, Misc. Services, Supplies, Equipment and Materials, Dept. of Public Works.

Also

No. 3817 Communication from John E. Ruff, Director, Department of Public Works, requesting permission for Edward T. Gergerich to attend Institute of Transportation Engineers annual meeting, Toronto, Canada, September 23-27, 1979, at cost not to exceed \$650.00, payable from Code Account 1530, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee Public Works.

Mr. Givens presented

No. 3818 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the GIANT EAGLE DISTRIBUTION CENTER URBAN DEVELOPMENT ACTION GRANT PROJECT; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also

No. 3819 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with THE PARKWAY CENTER SHOPPING MALL URBAN DEVELOPMENT ACTION GRANT PROJECT; providing for the execution of a Grant contract for the filing of requisitions and other data; approving THE PARKWAY CENTER SHOPPING MALL URBAN DEVELOPMENT ACTION GRANT PROJECT; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the

Project; and providing for the deposit of funds in a bank account.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3820 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Juniata Associates for the sale of parcels 71, 72, 73 and 181 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 3821 Communication from Paul C. Brophy, Director, Department of Housing, requesting interim approval for the dept. of Housing to obtain services of contractor for site preparation work for Fire House on site bounded by Itin St. Chestnut Street and Spring Garden Ave. cost to be approximately \$350,000.00 funds available from Community Development Block Grant Funds, Unspecified Local Option.

Also

No. 3822 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend meeting of the Council for Urban Economic Development, September 12-13, 1979, Washington, D.C., at cost not to exceed \$210.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3823 Resolution amending Resolution No. 687, approved August 7, 1979, effective August 10, 1979, entitled "Resolution providing for the issuance of a warrant in favor of Casciato Brothers, in the amount of \$1,778.00 for extra work in connection with the construction of No. 2 Police Station, without previous authority of law, and providing for the payment thereof" by changing source of funds.

Which was read and referred to the Committee on Finance.

Also

No. 3824 Resolution providing for an agreement or agreements with the School District of Pittsburgh, County of Allegheny and City of Pittsburgh, for compensation due the City for cost of services rendered by the Department of Lands and Buildings in the disposition and maintenance of properties owned by the Three Taxing Bodies, and further providing for the establishment of a trust fund to be designated as "Three Taxing bodies Services Trust Fund".

Also

No. 3825 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole on City property fronting on Sherwood Avenue, 20th Ward.

Also

No. 3826 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with act. No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3827 Resolution transferring \$20,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees to Code Account No. 1706 Equipment.

Which was read and referred to the Committee on Finance.

Michelle Mdoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3828 Resolution providing for the issuance of a warrant in favor of Conn Construction Company, Box 431, New Castle, Pennsylvania 16103, in the amount of \$2,000.00 in payment for the painting of two 24" water mains on the South 10th Street Bridge and providing for the payment thereof.

Also

No. 3829 Resolution transferring \$60,000.00 from Code Account 1700, 1795 and 1796 Salaries and Wages, Regular Employees, to Code Accounts 1705 Repairs and 1714 Materials.

Which were read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 3830 Communication from Louse R. Brown, Director, Department of Parks and Recreation, requesting permission for Howard Hays and Todd Meyer, Pittsburgh Zoo, to attend the 1979 Annual Conference American Association of Zoological Parks and Aquariums, St. Louis, Missouri, September 30-October 4, 1979, at cost not to exceed \$1,200.00, payable from Code Account 1852, Miscellaneous Services, Zoological Park Commission.

Also

No. 3831 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for two staff members to attend the 1979 Pennsylvania Conference on Aging, Philadelphia, Pa., October 2-5, 1979, at cost not to exceed \$650.00, payable from Code Ac-

count 1843. Senior Citizens' Program, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3832 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one (1) Ambulance and one (1) Rescue Truck, less trade-in for the Department of Emergency Medical Services, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3833 Resolution providing for an agreement or agreements with Abraxas Foundation, Brashear Association, Education Programs-Diocesan School Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof.

Also

No. 3834 Resolution providing for an agreement or agreements with Manchester Citizens Corporation, Pittsburgh Ballet Theatre, Elder-ado, Inc., Pittsburgh Arts and Crafts Center for the implementation of the Comprehensive Employment and Training Act, Title IV Subpart B of the Youth Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project) and providing for payment of the costs thereof.

Which were read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only

until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3835 Resolution providing for the issuance of a warrant to Margaret Brietkreutz in the amount of \$1,331.80 in full settlement of claim for automobile damage; and providing for the payment thereof.

Also

No. 3836 Resolution providing for the issuance of a warrant to Murray B. Rosen and Natalie Rosen, his wife, Meyer Tatelman and Sandra Tatelman, his wife, Seymour J. Seltman and Helen Seltman, his wife, and John E. Quinn and Manna Mae Quinn, his wife, in the amount of \$1,000.00 in full settlement of claims for damages to a private driveway, and providing for the payment thereof.

Also

No. 3837 Resolution providing for the issuance of a warrant to Allstate Insurance Company and Susan Reinfeld in the amount of \$1,186.86 in full settlement of claim for automobile damage; and providing for the payment thereof.

Also

No. 3838 Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, M.D., in the aggregate amount of \$1,050.00 for professional services rendered for the benefit of the City for physical examinations administered to School Crossing Guard applicants without previous authority of law.

Also

No. 3839 Communication from David L. Donahoe, City Treasurer, requesting permission to meet with officials of the Department of Labor and Industry concerning

City's status as a self insurer for workmen's compensation, Harriburg, PA, at cost not to exceed \$170.00, payable from Code Account 1063, Misc. Services, Department of City Treasurer.

Also

No. 3840 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Georgine Scarpino and Keith Cameron, to attend training session on marketing Private Sector Initiative Program, Philadelphia, Pa., September 24-25, 1979, at cost not to exceed \$525.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3841 Report of the Committee on Finance for September 5, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3778

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$13,776.75 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 3779

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$16,488.46 in payment for a chemical furnished to the City of Pittsburgh

without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 3780

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Meyers Tire Supply, in the amount of \$3,856.60 in payment for emergency purchases needed to repair certain City vehicles, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally

Also,

Bill No. 3793

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Labor for a grant in connection with the Comprehensive Employment and Training Act, as amended, Title III Project providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Comprehensive Employment and Training Act, as amended,

title III Project, providing for required assurances, providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the CETA Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally "

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3842 Report of the Committee on Planning, Housing and Development for September 5, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3737

A Resolution entitled, "Resolution amending Resolution 699 of 1979, providing for a Supplemental Agreement or Agreements with Opportunities Industrialization Center, Inc., of Pittsburgh, for services in connection with the Minority Contractor Bonding and Assistance Program, increasing the amount from \$542,300 to \$1,542,300, and extending the term of the Agreement from September 30 1979 to June 30, 1980 "

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson presented

No. 3843 Whereas, the human dignity and self respect of all our citizens, regardless of age, weighs with equal significance upon our minds and conscience; and

Whereas, any mistreatment or humiliation of young individuals, especially when they cannot defend themselves, must summon our keenest solicitude; and

Whereas, The Citizen Education/Action Group for Criminal Justice exists to involve citizens in activities that improve the criminal justice system, and has initiated a media campaign to dispel the myths and misconceptions held by the public concerning juveniles and agency activities; and

Whereas, this dedicated organization which has been in existence for six years and is fortified with citizens who have knowledge of the criminal justice system and have outlined its objectives to criminal justice officials; and

Whereas, one of these objectives is to raise the level of awareness in the com-

munity as to the problems of troubled youth; stimulate greater community acceptance of community-based programs for youth; encourage families and youth to seek out the services in the community that can aid them; encourage both youth and adults to volunteer to help kids in trouble; and to provide exposure of youth-serving agencies.

Now, therefore

Be it resolved that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of this City, proclaim the week of September 9 through 15, 1979 as "The Trouble With Kids Week", and encourages all of our citizens to volunteer their services to aid youngsters who are forced in their tender years to face what seem to be insurmountable problems, to insure justice, and to permit posterity to hold their heads high with self-esteem bestowed upon them by our Creator.

Which was read.

Mr. Robinson:

Mr. President, in moving for approval, I would just like to indicate that there will be a press conference held today in City Council Chambers at 3:45 p.m., relative to "The Trouble With Kids Week" and certainly all members of Council are encouraged to participate if they see fit. This is part of the overall week's activities relative to trying to identify ways in which we can address the problems of young people.

Michelle Madoff:

Mr. President, may I address myself to Councilman Robinson. Councilman, has there been an emphasis put on creating jobs. And that gets right back to that CETA.

Mr. Robinson:

Yes, that is one of the issues that is being discussed at some workshops and seminars during the week, trying to identify some of the root causes of difficulties that youngsters have and certainly jobs is one of the primary issues, in fact the CETA Program will be under consideration in terms of creating jobs for young people that have some longevity so they would have some career opportunities.

Michelle Madoff:

Thank you, I second the motion.

Which motion prevailed.

Mr. Lally:

Mr. President, as you know we are all aware of what happened to our Director of Parks and Recreation when she visited the Moore Pool up in Brookline this past summer and I think, I'm not sure of this, but I know that she has not been reimbursed for any of her clothing, her watch or jewelry that was damaged during the incident. I think it would be our duty here, it happened in the line of duty, it was during the working day, that she should be reimbursed for that and I would like to make that in the form of a motion.

Michelle Madoff seconded the motion.

Mr. Stone:

It's my understanding that she only got pushed into the water, where is the clothing loss

Mr. Lally:

She had her clothing on Bob, and her jewelry and her watch were ruined — I don't know what the damages amounted to, her watch was ruined I know that.

Mr. Robinson:

Mr. President, perhaps we need to get an opinion from our Law Department, I'm not clear as to whether legally we could do that.

Mr. Lally:

Allright, then why don't we have the Chairman of Parks and Recreation, Sophie — would you check into that for us?

Mrs. Masloff:

I will check it out.

The Chair:

There may be a problem there with in-

surance too, does the City have some kind of insurance

Michelle Madoff:

We're self insured are we not.

Mr. Lally:

Right.

Michelle Madoff:

And I think as taxpayers we should certainly provide whatever our Department heads suffer and reimburse them.

Mrs. Masloff:

I'll have a report by Wednesday.

Mr. Givens:

Mr. President, there is one thing that concerned me and I'm sure all of the Councilmembers in regards to Paul Cain's letter to Mayor Caliguiri and as indicated and placed in the various media. Both Paul Brophy from our City Housing Department, Steve George from Urban Redevelopment Authority and other members of the Mayor's staff as well as some of the members of the URA Board had sat down with Mr Paul Cain from HUD to try to come to agreement on some of the discrepancies that were made in that particular report.

Last Friday, this past Friday, they went through about half of that report. I have both Paul Cain's letter and the response from the Administration in regards to that letter if anyone is interested, it is quite a volumous thing, and that, when this is concluded, otherwise when URA or Housing and HUD finalize this report, then I would like to bring all parties concerned into council if need be, to discuss and brief us as to how things are going on that particular program.

Michelle Madoff:

Mr. President, I had requested the same information, and as a matter of fact received it today, from Mr. Steve George, I have both the letter, because I was on vacation, and the response. Having gone down myself to the

Manchester office and tried to obtain information for people who were trying to get Xerox copies, and being told that part of the information was in one office and part was downtown, it would seem to me, and I have told Mr. George that there seems to be some slipshod methods of bookkeeping.

I understand that there was a meeting on Friday as Councilman Givens has stated. The letter seems to say that they were unjustly accused in several areas. I had requested from Mr. Perry, previously, as you may remember Mr. Givens, that we ask both Mr. Cain and Mr. George to appear before Council and if HUD is still not satisfied, to tell council what its complaints are and to have the opportunity for Mr. George and URA to respond to Council. I think you have already made the request, Mr. Cain was away until Friday. Is that correct..

Mr. Perry:

That is correct.

Michelle Madoff:

And I completely agree with your contention, we ought to follow through on that and given them the opportunity to meet first of all and iron it out.

Mr. Givens:

Right, leave them clear—we want to see what the bottom line is, otherwise, then if it is something that should be brought before this Council then—

Michelle Madoff:

One thing I disagree with, not if it is something, it is something that should be brought before Council and I would like to at least have HUD, either in a letter —say everything is fine, or come before us and tell us where they are working out their differences and that there is some kind of resolution because I think it's a black eye when we start getting that kind of coverage and I think it will affect our funding.

Mr. Stone:

Mr. President, if I may, I'd like to join in bringing Mr. Cain here, but I don't think

anyone should be shocked by his report. There have been enough complaints at our Council table about the shoddy operation of some of the contractors. I've brought to this Council's attention many times that if it is a good contractor, the system of resolving the dispute when the property owner will not concede voluntarily to it, ends the termination from then on of that contractor ever doing any work for the City of Pittsburgh. On the other hand, where you have a bad contractor, but a good property owner, that contractor is not doing the job and as a result that thing lasts a long time, pretty much part of the work, costs more than what the original job was intended to cost because of the inflationary matters.

I think Mr. Cain ought to be given a commendation of some sort for having the intestinal fortitude to bring it out and bring it out as strongly as he has done. That program is not perfect. I think we ought to be on our toes all the time to try to improve it and I think we ought to get him in here as fast as possible without listening to Steve George double talk us as to whether or not it is done or it is not done. Steve George tends to make flowers bloom before they have ever been planted and I think what we need in this case is to obviously find out where the Federal Government agrees that it has not been operating properly and the practical consequences have clearly indicated that, just recently we have gotten a lot of complaints in the South Side as well relative to the shoddy operation, previously the North Side and many times in the Hill and other areas. I think it is time we address it, we've got a major commitment to this project, some \$24 Million and it could take obviously 24 minutes of our time to listen to Mr. Cain.

Michelle Madoff:

I must say that I don't often agree completely with Mr. Stone, but I support him 1,000% on what he has just said. I would also like to add that when he is giving commendations to Mr. Cain he ought to give a small, very small kudo to Councilmembers because we did vote to appropriate \$75,000 so that those people who lost their contractors as you may recall because of incompetency or shoddy work, there would be funds available to go back and redo and make up

the job and as for those members of Council who went out to the Manchester meeting — that's been some time — and I don't think that URA has moved as expeditiously as they could to justify and to redo the jobs

I would support Mr. Stone that — I understood that the meeting was last Friday and that they had ironed out or gone through all the pros and cons. If there is another meeting, I would like to know from Mr. Mike Perry as quickly as possible, when that meeting is to take place. I agree with Mr. Stone, let's schedule it immediately, not say, well, we're working it out for a month, and we are going to have a couple of meetings with URA and HUD and eventually hoping we'll get into budget, into elections and we'll let it go until next year — no way — as soon as possible, is that your intention Mr. Stone?

Mr. Stone:

I think we ought to hear what Mr. Cain has to say without having it resolved so we know what the problem is so that we can address it more accurately and more immediately than we have in the past.

Michelle Madoff:

Mr. President, I have a number of items, but if we are still on this subject, I would yield and come back to my other items.

Mr. Robinson:

Yes, just very quickly if I might, I would just like to indicate that I, too am concerned about this. Not just because of the report, and not just because of the meeting that I attended in Manchester where people were able to express their concern, their grief, but do to the fact that just recently, in the last five or six months, the Urban Redevelopment Authority did conclude an agreement with the Manchester citizens Corporation to conduct a number of activities in the Manchester area and this Council just recently was presented at a hearing, a report relative to some changes. If indeed, this organization is going to be carrying out some major functions, housing, development, etc., in the Manchester area, certainly whatever kind of discussions we might have with HUD or our Housing Department would impact directly

upon them. I am concerned that our relationship with them is a substantive one so that as we contract with them and give the appearance that they indeed are in charge in Manchester, that we have the supporting legislation and the supporting money.

I have requested that the Urban Redevelopment Authority and the City Planning Department, as they present their request for a change, begin to explain to us where money is going to be made available for oversight, for inspection, not in the budget of the Urban Redevelopment Authority, but in terms of the responsibilities of the Manchester Citizens Corporation and our giving them the financial wherewithal to do the kind of job that at least the URA Board says they would like to have them do. So I hope that we look at this in the context that we do have a citizens organization, the first in our City to my knowledge that is being given some broad redevelopment authority in the face of problems in their community and perhaps problems city-wide, and I just hope we look at our relationship with them in light of Mr. Cain's report and also the things the City is attempting to do to make our programs work.

Mr. Bulls:

It is sort of amazing as I sit here and hear people talk about Manchester and the work that is being done or not being done in Manchester. Six months ago we sat at this table and we talked about the shopping center in Manchester leaving and I'm surprised that no one lifted a finger to help see that the shopping center stayed in Manchester, the Economic Department which Mr. DeLuca heads, nothing was done about that, I'm talking about spending all the money up in Manchester and what's happened to the money and residents and the residents don't have a damn place to go shopping.

Michelle Madoff:

Should we have Mr. DeLuca here to update us?

Mr. Bulls:

Well, it's gone now.

Michelle Madoff:

Weren't they talking to some other shop to take it over? Some other food vendor? That is what my understanding was, they had gone to some independent store as opposed to a chain to see if someone would go in there and that was the last we heard, that they thought they would have somebody to go in there.

Mr. Bulls:

Who thought they would have someone to go in there?

Michelle Madoff:

That is what Mr. DeLuca told us.

The Chair:

We've been told we were going to have one out in Oakland too.

Mr. Coyne:

That is what I was just going to say — Mr. Bulls concern about the Giant Eagle in Manchester is much the same as when the A & P in Oakland closed down, we were told by the City Administration that they were going to do everything to replace the A & P on Forbes Avenue in Oakland, and now what we have left is one small Giant Eagle that is way overloaded and just can't help handle the crowd that shops in there, so maybe we ought to ask Mr. DeLuca to come up and address himself both to Manchester shopping facilities and the Oakland facilities.

The Chair:

Certainly, the Clerk is so ordered.

Michelle Madoff:

Another item. I would like to call to the attention of Council, something that we might consider frivolous—I don't consider it frivolous = we talk about cleaning up the city and maybe we ought to start with our own house. This Council, the Council offices, the Council facilities are filthy and I think that Mike Perry would support me 100% in that contention. We have to get someone to clean

our offices. Unfortunately the young woman who is doing it now, it is not her fault, one person cannot do the workload that she has been given to do and I would like to suggest, I wanted to do it as a resolution, Mike Perry informs me we can handle it as a budget item and perhaps Mr. Stone could advise us, I would like to suggest that we hire a cleaning person for the staff of Council to clean the offices, to clean the halls, so that when people come in to the fifth floor here, we don't see apple cores, half a sandwich, gum glued to the floor, I had my office vacuumed, I vacuumed it Friday, today you wouldn't know it was vacuumed just from the dirt in the halls, I asked the cleaning woman what we could do about the chairs, she said that she doesn't do them, there is no one to do them. I'll be happy to do my own housework if you'll supply me with a feather duster, a hand vacuum and what have you and I'd like that to be part of next year's budget. If necessary, I'll pay for it myself. I didn't plan to go into the daywork business, but if it is the will of Council that we do our own, fine, but I do think it gives a terrible impression to people coming in when in one and a half years, my office was not cleaned and I have no reason to think that anybody else's—has your office been cleaned Mike. Has your office ever been cleaned, other than the floor vacuumed occasionally and the waste paper baskets emptied.

Mr. Perry:

It's been dusted, but—

Michelle Madoff:

How Often?

Mr. Perry:

That's too much for one person.

Michelle Madoff:

Okay—I think you're backing out on me now, you said—

Mr. Perry:

No, I'm not.

Mr. Stone:

I would just like to comment that the cleaning personnel are not part of City Council's staff. I would like also to say that if there is some problem with the cleaning department, then it appears to me we ought to talk to Lands and Buildings and ask them why they don't have sufficient force and sufficient talent in that technical service of cleanup.

Michelle Madoff:

That's like talking to a blank wall.

Mr. Lally:

Mr. President, I did talk to the Director of Lands and Buildings and they are going to supply us with a couple of women over here. We used to have four if you want to know the truth, doing cleaning work like this, but now we're down to one.

The Chair:

Well, I realize that the person we have now has a tremendous amount of work to do, but I don't think I ever recall seeing the person or persons vacuuming any of the offices, I don't think they have the time.

Michelle Madoff:

It's just too much for her.

I never got an answer from Mr. Stone, is it possible for us to allocate a budget item to have someone clean for Councilmembers.

Mr. Stone:

Well, I think before you go into a budget item you have to find out what's there and I think we ought to talk to Mr. West and see whether or not there is any other personnel we can get here.

Michelle Madoff:

Well you are bigger than I am will you talk to him, he doesn't listen to me.

Mr. Stone:

It's the kindness of the words that get you some result.

Michelle Madoff:

Well you can sweet talk him, you do it so well.

Next item -- on Sunday or Saturday, I'm not quite sure, there was a fire at the corner of Forward and Beechwood and I couldn't turn down my street. A two day old used car purchased from one of the local car dealers caught fire and it was a very bad fire. Fortunately no one was hurt, but the car was completely demolished and the Fire Department came. I was curious as to how long it took the fire truck to get there with reference to 911 and I started talking to the men and they told me a very interesting story that I thought I should share with Council. They have a problem with dispatchers in that the people who are handling 911 are having a great difficulty with streets. They will say Auburn and they mean something that sounds like it and they are going to the wrong streets. I think we ought to pass the message along to our 911 and perhaps suggest they spell the names rather quickly so at least the fire trucks go to the right place. I raised this issue at a Council meeting when we talked about the item Mr. Givens was concerned about the new 911 call boxes. There is little point in having call boxes if we don't have efficiency on the other end answering and 911 leaves much to be desired. I would like to see what we are doing, a report on some point in Council at a Post Agenda meeting, what we are doing to improve 911 and to supervise and bring the service up to a little better response and again, I would like to know what we can do about the dispatchers who are having a problem with pronunciation to see that that person is helped, or spells out the streets.

Another item -- I was approached by someone involved in a lawsuit against the granting--I guess it's against the corps of engineers granting the U. S. Steel a permit to build a plant in Conneaut. Now, normally, my position has always been that everyone has a right to do business as they please, wherever they please. However, since I was

directly involved in drafting and writing the original consent order which is really the latest consent order, just an adaptation of the present consent order with U. S. Steel and since two of the local United Steelworkers unions have entered into that lawsuit to preserve jobs in this area, in other words I'm saying that Michelle Madoff is very chauvinistic, I want to see jobs remain in this area. The steel mills have bled the community, have held those steelworkers in hostage, it's time they had some commitment to remain here. The present consent order can be met by shutting down and I think that is something — I've talked to Mr. Jim Flaherty about it and to other Commissioners—and I think we ought to listen to the position of the unions and those who have the lawsuit to determine whether Council, and perhaps we would prevail upon the City to enter as an amicus to that lawsuit to keep the jobs in the area. And, if it is the will of Council I would ask that somebody representing that lawsuit present the case very succinctly, maybe within five minutes tell us the gist of it and why they are doing it and why we should enter—and then we could decide at that point, I'm not saying let's enter into it now, I think we have to hear the pros and cons.

But, I would like to point out that when a mill moves away, it frequently loses many of the people who have seniority, they don't have to pay those kind of salaries, they make up money by automation. The state of Ohio was offering everything but the kitchen sink to the steel mill to come over there, I think that we have a responsibility because of the ricochet effect on this community of what this could mean, it would be devastating and I would beg Council's indulgence that I have your permission to invite someone to come and address us for five or ten minutes after a council meeting so that we can decide whether we would like to enter as an amicus to that lawsuit. Can I make that as a resolution. . That is my resolution essentially, that we listen and decide whether we should enter, at that point, in the lawsuit.

Mr. Lally seconded the motion.

Which motion prevailed.

Michelle Madoff:

Another item—may we have—I read in the news media, that we are selling 20,000 parcels of land and since I have been working so hard in that area for the last I guess year, I would like very much to hear how, what, where, when, those 20,000 pieces of land—maybe the article was inaccurate.

Mr. Givens:

No, I think that was a newspaper and I have to think you are taking on the validity of what they are saying they are going to attempt. I'm sure to try to sell 20,000—do you know what it takes to just do a title search on some of this land that is taxed

Michelle Madoff:

We got a grant to do it.

Mr. Givens:

We've got great problems in that area and if they started today it would take them maybe 20 years to get rid of 20,000.

Michelle Madoff:

Not with the grant they got. they got a large grant just to do that and I would like a report on what is happening—what they are proposing to do, because I said that if our ordinance which passed in Council wasn't enforced I was going to take some legal action.

Mr. Givens:

The first thing they have to do is make a title search and certainly—

Michelle Madoff:

We know that.

Mr. Givens:

But we have a great vehicle right now and that is the Vacant Properties Review Committee which is a more expeditious way of handling this. It has to go through a tax sale by the Treasurer, I think we have, what, one or two a year we have that particular sale and if you do it by the fact that there is a

tax sale, Lands and Buildings would turn it over to the Property Review Committee and in turn we can approve an immediate sale by condemnation and give it to the URA and it's on the market right away, once the title search is completed. In fact, the combination takes away from doing the title search.

Michelle Madoff:

All I'm asking is that we get a report from whoever is planning to sell that property how they are planning to do it and what the grant is all about and what is happening and I think Paul Brophy is scheduled to come before us anyway and do that.

Mr. Givens:

That is not Paul Brophy, that is primarily Director West, Lands and Buildings

Michelle Madoff:

But I believe Mr. Brophy is taking over that area because he was coming back to answer us and he had asked for more time. When I saw him in the hall he said it's very bad news. The last time I saw it we had some good news and then I understand the Mayor left our Monday meeting to go out and receive a check, I think \$69,000 to be able to do this and I think Council should at least be apprised of what's happening. You know, we still are a part of the governing body and I would just like to know what's happening.

I still have a couple of other items. I don't know if other members of Council have the same silly — and this may again be frivolous — but I think it is important to all of us it would save us labor in using the staff problems. You know the reports that we get from any department. Either budget, or review of departments and so on. They are labeled and they are soft covered books, they are labeled on the front, so if you filed them, you don't know what the book is without going through every single item that we have. Could we have some kind of a request, or an ordinance or a resolution that every book that we get or every report, have some kind of labeling on the side so that we can see what we have. Does anybody disagree with that. It's absurd, you don't know what

we've got, so you take out every single copy unless you memorize the color, shape and design

I have one last item — my phone has been coming off the hook with the merchants and PPG and perhaps Mr. Stone could help us out. I had a call this morning and asked that I call Mr. Dempsey and he returned my call, to say what is happening. Is it true that a Steve George, I understand they had a fantastic conversation — he said if they are fantastic, he hasn't heard about them — that is Mr. Dempsey's position. It seems that they have had two plans presented by the architects that Mr. Reggie Wilson has rejected, there is another plan to be forthcoming, I believe on Wednesday and there are still some thoughts of taking legal action, both against the Council decision and some legal action — an appeal against the court, Sylvestri's decision to throw out the ruling that the suit was not against PPG, they still maintain it is. I don't know exactly what is going to happen there, but I think it would be very nice if somebody would keep us posted in Council as to what is happening to the people we gave our word to, we made a commitment in Council that they would be taken care of fairly and justly and I understand that these things take time, but they are building over there and I think it would be very incumbent upon somebody to let us know what status the negotiations are developing so that when people call me at least I can answer intelligently.

Mr. Givens:

The primary responsibility lies within the Urban Redevelopment Authority and that Authority has been meeting with the people, in fact they just had a meeting last Thursday between the Market Square Association, which some people are included, someone other than PPG acquisition. but, they just met with that group and had a very deep discussion on how the PPG was to progress with their development down in that particular area. I even asked the Director, Steve George, that when these meetings come up that I attend them. I think each Councilman has a responsibility within their Chairmanship to brief Council and to have that Director up to brief Council periodically and I am as deeply concerned as all I'm sure

here, in regards to that I know other Councilmembers have been down to see some of the PPG leaders and etc., and the contracting that is going to ensue in this development, to make sure that when PPG had a change of Administrative heads down there, that we were at the same continuity, was going to continue under the new leadership that PPG has brought in down there. So, hopefully it is all coming along, the biggest point right now is relocation and I think they have taken tremendous advancements and the Red Cross, the Patterson Building and we have now just made tentative approval in URA for what the Parking Authority and the City Garage down there to relocate some of these people that are affected in the PPG area. Much is being done, the people, I believe, in URA are working very diligently in trying to not have the citizen, PPG, and Market Square Development gap, otherwise, they are trying to sit down in a periodical get together to inform the people of what is happening. It's always something that you just can't seem to sit down enough of times, but if you sit down too often we are just going to be briefing one another and nothing is going to be done.

Michelle Madoff:

Would you say, since you used the word deeply, you said, they had a meeting last Thursday where they worked deeply - would you say that is a fantastic conversation, would you say that is an accurate interpretation of what took place in the dialogue..

Mr. Givens:

I'd say fantastic in the way of the dialogue that was relayed from one side to the other, it was very open, very candid conversation from the people who are down there living there, working there, and have property there, to the people that are trying to make the development. The dialogue is to what they would like to see and how they would like to see that particular project be developed.

Michelle Madoff:

I don't think there is anything different, I presume they have always wanted to be

treated fairly and my interpretation of fantastic dialogue is that they were about to resolve the problem, everybody was thrilled. Would that be pretty accurate. Mr. Stone, I would like to resolve, is Mr. Steve George's statement that it is fantastic, pretty accurate—

Mr. Stone:

I wasn't going to speak on this subject, but since I've heard so much incorrect information, maybe I'd better. First of all, the meeting Thursday night was not comprised of all the Market Square people, but they were talking about some capital improvements relative to the City of Pittsburgh and I think the word used by Mr. George was "superb dialogue", covering that subject which was discussed at that time and not the overall subject, nor that of Mr. Dempsey, nor that of the plaintiffs in his particular case, that Thursday meeting had nothing to do with that particular lawsuit. Relative to the plaintiffs in the lawfuits that were started, from which Judge Sylvestri made a decision, it is my understanding that they are still negotiating, they still are negotiating in the same line, in the same fate that they intended before, they have not terminated negotiations, they are still actively involved in it. Relative to our Third Avenue garage, there was an attempt to relocate some people there, and that is progressing and I understand like everyone else, some of the parties advocations in July and August, that they are back actively doing something now, but there has not been any change yet that I have been aware of, that URA's parties who are negotiating, doing other than what they represented to City Council. There are however, a lot of rumors going around which I have found to be greatly false, and I think each time that I have gotten a call, I promised that individual I would call them back after getting the information, I've done that, and after that we find out that some of the accusations are not accurate. Such as the last Thursday meeting in which allegedly, it got a broader interpretation than the meeting for the purpose for which it was called, and Steve George's comments covering that narrow issue and not the entire project which came before this City Council.

Michelle Madoff:

Point of information, it was my un-

derstanding—one of the calls I received was that they understood—and I think I did, perhaps erroneously, that Mr. Reggie Wilson was replacing the original negotiators. I forgot the name of the firm out of New York, can you help me?

Mr. Coyne:

Mr. President, at this morning's agenda meeting, I had asked John Wickes at Council for the Urban Redevelopment Authority, Cushman and Wakefield is still involved in the negotiations down there and he said that Cushman and Wakefield is involved in it to the extent that it excludes the five people who have filed the lawsuit, in other words, Reggie Wilson will deal with the five people who filed the lawsuit and Cushman and Wakefield will deal with the others and he made that very clear this morning.

Michelle Madoff:

Thank you, that was my question. The person who called me is no longer on the lawsuit. The reason they are not on the lawsuit, is that it would have delayed the process to include them. So, for some reason, a technical problem, in re-typing, his name did not get on and they are no longer in the lawsuit and he called me to say, I thought Cushman and Wakefield weren't in this thing any more, that was my understanding, they are dealing with everybody other than the five, is that correct.

Mr. Coyne:

Yes.

Michelle Madoff:

Now, the problem is, that this party said they have not heard from Cushman and Wakefield and my question then to Council is that while we have made a moral commitment to the five merchants who are presumably going to be working out their problem with URA, etc., what responsibility does Council feel, and I think we have some, to the people dealing with Cushman and Wakefield but haven't heard from them. They are still merchants in the Market Square area.

Mr. Stone:

I think Council's biggest responsibility is not to add to the rumors, but rather to help alleviate them so that the thing doesn't get out of line any more than it presently is.

Michelle Madoff:

Mr. Stone, when the people have called me, I've said I don't know and I will find out and I thought that is exactly what I was doing right now. I don't know, and that was my answer, what I don't know, I say I don't know and I thought by asking you, since you are chairing that Committee, you would tell me whether Cushman and Wakefield was still there and I understand that that is the case and my question to you is, what do we do for those people who have not been contacted by Cushman and Wakefield but are not part of the other litigation, what do I tell them, or shall I turn the call over to you?

Mr. Givens:

Mr. President, if I might be able to clear something—

The Chair:

Wait a minute, I want to get something cleared up, are we talking about people, those specific calls, are they merchants in that area—

Michelle Madoff:

Yes sir.

The Chair:

Then they are saying, in effect, that nobody has been talking to them and they don't know what is going on?

Michelle Madoff:

That is correct sir.

Mr. Givens:

No, that is my exact point Mr. President, Cushman and Wakefield are retained by PPG to do their real estate appraisal and everything else, so besides what URA and

this City cares for, they are retained by PPG.

The Chair:

But apparently, Cushman and Wakefield has talked to most of the people other than the five that are suing, right?

Mr. Lally:

They are.

Michelle Madoff:

My understanding at the meeting here is that they have been let go, does anybody else understand that... Bill, did you understand they have been replaced by Reggie Wilson?

Mr. Coyne:

No, as I said, John Wickes cleared that up this morning in the Mayor's Conference.

Michelle Madoff:

But until this morning what did you think?

Mr. Coyne:

I thought that Cushman and Wakefield was out of it.

Michelle Madoff:

That is my point, exactly.

The Chair:

Bill, unless I'm wrong, if there is litigation, isn't it sort of improper for anybody to talk to these people anyway?

Mr. Givens:

Right.

Michelle Madoff:

Right, I'm telling them I don't know, but I don't know who to refer them to, that is why

I addressed my question to Mr. Stone, I would like the opportunity for Mr. Stone to answer me, tell me what to tell these people.

Mr. Stone:

Since URA is handling it for the City of Pittsburgh, it might be wise to refer them to URA.

Michelle Madoff:

That is their problem. When they deal with Steve George, they feel they again, are hitting against a stone wall.

Mr. Stone:

They are not dealing with Steve George, I think that project is under Mr. Garrity there.

Michelle Madoff:

Would you object if I referred them to you Mr. Stone?

Mr. Stone:

I would suggest that you refer them to the Urban Redevelopment Authority, because any information that I get would have to go back to them anyhow.

Michelle Madoff:

Mr. Garrity.

Mr. Stone:

Yes.

Mr. Stone moved to approve the minutes of Tuesday, September 4, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of **Mr. Givens**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, September 17, 1979

No. 37

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, September 17, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

ABSENT: Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 3844 Resolution providing for an agreement or agreements with a Professional Engineering Firm for engineering inspection services in conjunction with bridge construction; and providing for the payment of cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3845 Resolution approving a Conditional Use under Section 993.01 (a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to use the existing structure located at 2711 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc., for in Institutional facility on property zoned "R4" Multiple-Family Residence District identified as Lot No. 131, Block 175-A in the Allegheny County Block and Lot System, 14th Ward.

Also

No. 3846 Resolution amending Resolution No. 376 of 1977 providing for a Supplemental agreement with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project, increasing the amount from \$20,000.00 to a sum not to exceed \$34,711.96; and providing for the payment thereof.

Also

No. 3847 Resolution approving Modification No. 7 (Dated September, 1979) to the Redevelopment Area Plan for Redevelopment Area No. 24, Chartiers Valley Project.

Also

No. 3848 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jacqueline Lucas for the sale of Parcel 46c in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also

No. 3849 communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Raymond Reaves, to attend American Planning Association Conference, Baltimore, MD, October 14-17, 1979, at cost not to exceed \$550.00 payable from Code Account 1979, CDPA.

Also

No. 3850 Petition from residents of the Beechwood Boulevard area requesting a hearing before City Council regarding a delay in enforcement of a Zoning Board decision, Ordinance No. 192, 1958 also the apparent lack of enforcement of certain traffic and fire codes.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3851 Resolution amending Resolution No. 720, approved August 15, effective August 20, 1979, entitled "Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$1,241.50, in payment for repairs to the refrigeration system at the North Side Public Safety Building and providing for the payment thereof", by CHANGING THE SOURCE OF FUNDS.

Which was read and referred to the Committee on Finance.

Also

No. 3852 Resolution amending Resolution No. 474, approved May 24, 1979 entitled "Resolution providing for an Architectural and/or Engineering agreement or agreements and a contract or contracts in connection with construction at Buhl Planetarium and providing for the payment of the cost thereof", by providing for a Cooperation Agreement or Agreements with Buhl Planetarium, a non-profit corporation, in connection with the removal of architectural barriers.

Also

No. 3853 Resolution amending Section 1 of Resolution No. 310, approved April 6, 1979, effective April 11, 1979, entitled "Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City, to lease to the Jones and Laughlin Steel Corporation, for a term of ten years, certain property of the City located on South Water Street, upon certain terms and conditions" by reducing quarterly installments from \$1,508.00 to \$1,258.00.

Which were read and referred to the Committee on Lands and Buildings.

Mrs. Masloff for Michelle Madoff presented

No. 3854 An Ordinance supplementing the Pittsburgh Code, Title 6 - Conduct, Article I, Regulated Rights & Activities, Chapter 601, Public Order by adding Section 601.15, Elderly and Handicapped.

Which was read and referred to the Committee on Public Works.

Also

No. 3855 Resolution providing for a contract or contracts for water line relays in conjunction with the Reconstruction of the Herron Avenue Bridge South approach and Ruthven Street and providing for the payment of the cost thereof.

Also

No. 3856 Communication from John C. Miller, Director, Department of Water, requesting interim approval of payment of \$60,000.00 for emergency installation of 36" valve at 17th Street and Liberty Avenue and 48" valve at Ellsworth and Graham Street.

Which were read and referred to the committee on Water.

Mrs. Masloff presented

No. 3857 Resolution providing for a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof.

Also

No. 3858 Resolution providing for a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof.

Also

No. 3859 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$340.00 for Drinking Fountain at West End Park.

Also

No. 3860 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,288.19 for metal identification tags for Swimming Pool Division.

Also

No. 3861 Communication from Louise M. Brown, Director, Department of Parks and Recreation, requesting permission for Director Brown and Mr. Scalzo to attend New Orleans Congress for Recreation and Parks Conference, October 27-November 1, 1979, at cost not to exceed \$1,200.00, payable from Code Account 1801, Misc. Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3862 Communication from Lawrence Yatch, Director, Department of Supplies, requesting interim approval for emergency fuel purchases.

Which was read and referred to the Committee on Supplies.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 3863 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one(1) automatic floor scrubbing machine for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Stone presented

No. 3864 Resolution providing for the issuance of a warrant to Lawrence Segers in the amount of \$1,759.25 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 3865 Resolution transferring the sum of \$10,000.00 from Code Account 1016, Salaries, Regular Employees, Mayor's Office to Code Account 1017, Miscellaneous Services, Mayor's Office.

Also

No. 3866 Resolution providing for an agreement or agreements for consulting services in connection with pursuing public works projects, developing other Pennsylvania state aid programs and monitoring Pennsylvania state legislation; and providing for the payment of the cost thereof.

Also

No. 3867 Resolution transferring \$500.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1035, Miscellaneous Services, Commission on Human Relations.

Also

No. 3868 Resolution repealing Resolution No. 679, approved August 16, 1976, effective September 1, 1976, "Providing for

an agreement or agreements for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Also

No. 3869 Communication from John P. Gabriel, Ex. Director, Commission on Human Relations, requesting interim approval of payment of \$355.00 to Laird G. Hayes for stenographic reporting services in connection with public hearing held by Commission, August 21, 1979.

Also

No. 3870 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Douglas Spencer, Janice Strong and Carl Rectenwald, to attend Management Information Systems start-up conference for Prime Sponsors, Washington, D.C. October 3-4, 1979, at a cost not to exceed \$750.00, payable from CETA EOPP Trust Fund.

Also

No. 3871 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Georgine Scarpino and Clarence Parker, to attend conference on compliance with handicapped and veterans Affirmative Action Regulations, Pittsburgh, PA, October 4, 1979, at cost not to exceed \$40.00, payable from CETA Trust Fund.

Also

No. 3872 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Catherine Milton and Regina Hanna, to attend Youth Employment Workshop, Baltimore, MD, September 26-29, 1979, at cost not to exceed \$725.00, payable from CETA Trust Fund.

Also

No. 3873 Communicaton from Melanie J. Smith, Director, Department of Personnel

and Civil Service Commission, amending Council Bill 3387 authorizing reimbursement for expenses incurred by Philip Schugar and Paul Leger, while attending meeting in Philadelphia, June 25-28, 1979, by increasing amount of reimbursement from \$500.00 to \$549.69, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3874 Communication from Mark DeLouis, Executive Director, Traffic accident Prevention Foundation requesting a public hearing on the serious traffic situation that exists at the section of Carson Street from the West End Bridge to McKees Rocks.

Which was read and referred to the Committee on Public Works.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3875 Report of the Committee on Finance for September 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3715

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of the following members of the Department of Police for partial financial replacement for items damaged while on duty; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3721

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & S Equipment Company in the amount of \$414.50 for repair work done on air tools at the Construction Division and providing for the payment thereof."

Which was read.

Also,

Bill No. 3756

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$5,788.00 in favor of James Karis Inc., 3231 West Carson Street, Pittsburgh, PA 15204, in payment for the demolition and removal of the 3 story brick and frame dwelling, store and garage located at 2209 Forbes Avenue, 4th Ward, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3757

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of W. G. Dubin and Company, in the amount of \$1,448.23 in payment for emergency work furnished for the benefit of the City in connection with installation of new doors at the Sixth Division; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3763

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dick Enterprizes, Inc., P. O. Box 10896, Pittsburgh, PA. 15236, in the amount of \$53,700.00 in payment for relay of the 16" water main in Royal Street and providing for the payment thereof."

Which was read.

Also,

Bill No. 3764

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Earth Movers Supply Company, 4 Bridge Street, Etna, PA. 15223, in the amount of \$340.00 in payment for repairs to four geo-

phones, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3765

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pascoe Equipment Company, R.D. 2, Oakdale, PA 15071 in the amount of \$2,988.00 in payment for rental of a loader and backhoe, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3766

A Resolution entitled "Resolution amending Resolution No. 412 approved May 9, 1979, effective May 11, 1979 entitled, 'Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960 in the amount of \$9,000.00 in payment for the sealing and plugging of three 30" outlets furnished for the benefit of the City in connection with the Rehabilitation of Sedimentation Basins Nos. 1, 2 & 3, City Controller's Contract No. 23098-F and providing for the payment thereof,' by changing the source of funding from Bond Fund No. 230 Department of Water to L.P.W.E.A. funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative the bills passed finally.

Also,

Bill No. 3767

A Resolution entitled, "Resolution transferring \$100,000.00 from Code Account No. 1796 to Salaries and Wages, Regular Employees, Distribution Division, to Code Account No. 1700-1, Premium Pay."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3770

A Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of James C. Eastley, Inc., in the amount of \$9,044.14 in payment for work performed at Schenley Engineering Building and Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read.

Also,

Bill No. 3794

A Resolution entitled, "Resolution providing for the issuance of a warrant to Aeration Processes, Inc., in the amount of \$18,170.42, in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3795

A Resolution entitled, "Resolution providing for the issuance of a warrant to Esther Suelzle in the amount of \$3,843.00 in full settlement of claim for property damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3796

A Resolution entitled, "Resolution providing for the issuance of a warrant to Erie Insurance Group and David A. and Gayle DeTillo in the amount of \$3,700.00 in full settlement of claim for automobile damage and providing for payment thereof."

Which was read.

Also,

Bill No. 3797

A Resolution entitled, "Resolution providing for the issuance of a warrant to Gerald T. and Gayetta Bowman in the amount of \$1,180.05 in full settlement of claim for

automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 **Noes** none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3798

A Resolution entitled, "Resolution transferring the aggregate sum of \$550,000.00 from Code Account Nos. 55 and 56 to Code Account No. 46, Judgments."

Which was read.

Mr. Stone:

Mr. President, if I may, on Bill No. 3798, the Administration suggested that we take \$300,000 from Code Account 55 and \$250,000 from the Firemen's Relief, to 56. If you recall, at budget time last year, we indicated we would be using those particular funds in an effort to try to bolster up our actuarial soundness in those two respective pension funds. I have before me an alternative of \$550,000 from salary accounts which would have been spent prior to August 3rd. I notice, however, in the legislation we have until October 31st to make that payment. I think it might be wise to give the Administration an opportunity to see the suggestion I have.

I move that we recommit Bill No. 3798, and I will supply the Administration with the accounts that I am going to substitute instead so we don't have any problems. It is important that that one be paid by October 31st.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

Bill No. 3799

A Resolution entitled, "Resolution providing for an agreement or agreements with Annamarie Kresh for the implementation of a new filing system in the Department of Law and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3800

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3827

A Resolution entitled, "Resolution transferring \$20,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees to Code Account No. 1706, Equipment."

Which was read.

Also,

Bill No. 3833

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Abraxas Foundation, Brashear Association, Educational Programs-Diocesan School

Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3834

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Manchester Citizens Corporation, Pittsburgh Ballet Theatre, Elder-ado, Inc., Pittsburgh Arts and Crafts Center for the implementation of the Comprehensive Employment and Training Act, Title IV Subpart B of the Youth Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project) and providing for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale (Pres't)

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3876 Report of the Committee on Public Works for September 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3722

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the soil study and foundation design for the Franum and Radcliffe Street Bridges, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3723

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Borough of West Mifflin and the A.C.R.O. Corporation to drain a 6.1 acre parcel of land, located partially in the City of Pittsburgh, into the City of Pittsburgh storm sewer system and also permit the Corporation to install streets and sewer systems in each Municipality and their acceptance by each Municipality."

Which was read.

Also,

Bill No. 3724

A Resolution entitled, "Resolution amending Resolution No. 299, approved April 6, 1979, effective April 11, 1979 entitled, 'Providing for a Contract or Contracts for the grading, paving and curbing of Benton Avenue from California Avenue to Brighton Road, including the reconstruction of a waterline, the replacement of a public sewer, and other work incidental thereto; including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reim-

bursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, and providing for the payment of costs thereof," by deleting Section 3 thereof."

Which was read.

Also,

Bill No. 3725

A Resolution entitled, "Resolution providing for a Contract or Contracts or the utilization of existing Contracts for the installation of catch basins at various locations throughout the City and other work incidental thereto (PW 79-28) and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3726

A Resolution entitled, "Resolution providing for a Contract or Contracts for Traffic Signal Installation Various Locations (PW 79-23); and providing for the payment of costs thereof."

Which was read.

Mr. Coyne:

Mr. President, Bill No. 3726 is a bill to install traffic signals at various locations. We had said on Wednesday that we would recommend this bill if we did not have some assurance from the Department of Public Works that there would be a traffic light installed at Fourth and Ross. Lou Gaetano has assured me that we are going to get a traffic light at Fourth and Ross, so it would be okay to go ahead and pass on this legislation.

Also,

Bill No. 3727

A Resolution entitled, "Resolution providing for a contract or contracts for the grading, paving and curbing of Rialto Place, from Rialto Street to its northeasterly terminus, including, as may be necessary, the entrance on to private property for corrective work,

slope easements, the grading of driveways and other work incidental thereto, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3729

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1038, effective January 6, 1977, as amended by Resolution No. 82, effective February 17, 1977, as amended by Resolution No. 410, effective May 16, 1977, as amended by Resolution No. 632, effective July 21, 1977, as amended by Resolution No. 905, effective October 6, 1977, as amended by Resolution No. 1019, effective October 27, 1977, as amended by Resolution No. 1337, effective December 31, 1977, as amended by Resolution No. 82, effective February 27, 1978, as amended by Resolution No. 308, effective March 30, 1978, as amended by Resolution No. 1380, effective December 12, 1978, entitled, 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; by reallocating funds and redesignating projects authorized for the Department of Public Works.'"

Which was read.

Also,

Bill No. 3734

A Resolution entitled, "Resolution granting privilege to Albert N. Watts to construct, maintain and use at his own cost and expense, a concrete porch and awning in the sidewalk area of Manhattan Street, providing that he and his heirs and assigns indemnifies and saves the City harmless from any and all damages which may arise by reason of said construction."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3812

A Resolution entitled, "Resolution amending Resolution No. 780, effective 8-22-79, entitled, 'Providing for a Contract or Contracts for East Liberty Study Implementation (PW79-220; and providing for the payment of costs thereof', by increasing the amount of funds authorized."

Which was read.

Mr. Coyne:

Mr. President, on Bill No. 3812, it is asking for an additional \$125,000 for the implementation of the East Liberty Study and this bill is dependent on receiving funds from a project that has been on the books in this City for many, many years and that is the Saw Mill Run Creek Project. As we discussed at Wednesday's meeting, you, Mr. President, had indicated that Alcosan was willing to take that over as a project from the City of Pittsburgh and it was just a matter of the Board approving the transfer.

The Chair:

I have to correct you Bill, I'm not saying they are ready to take it over, they are going to study the proposal. They want to aid in any way they can. You have to remember, this bill may run as high as \$80 Million, and it comes to that kind of money even Alcosan can't afford it, so they are looking into it and Phase I and Phase II they feel they perhaps can take over, when I say they, I mean

Alcosan. but, until they study that proposal and bring it to the Board no action can be taken and the engineer down there feels it's going to take at least a couple of weeks to go over that.

Mr. Coyne:

Well, what it does is put Council in the position of wanting to give up money that we already committed to do the project here in the City. It has come up before Council in the past where we have been asked to transfer these funds away from the Saw Mill Run Project to other projects.

I for one wouldn't be in favor of taking that money away from there unless we had some commitment that Alcosan was going to take it over.

The Chair:

I would suggest at the time to recommit it until the action is taken.

Mr. Stone:

If he makes that motion he has my second.

Mr. Coyne:

Well, actually this bill here only uses some of the Saw Mill Run Project money, the \$125,000 to implement the East Liberty Study. What I am saying is they can't go ahead with the East Liberty Project unless we provide the funds from the Saw Mill Run Project.

Mr. Stone:

But to get the alternative monies Bill, you have to go back to Wednesday anyhow.

Mr. Givens:

Did not they say that the Saw Mill Run Project would be reimbursed later on?

Mr. Stone:

Where?

Mr. Givens:

No, not within this specific legislation, but the intent — if they borrow from that Saw Mill Run, did they not say that Wednesday?

Mr. Stone:

No, they never intended to, they are kind of counting on the Sanitation Authority taking it over and if they don't then it is just left, that's why Mr. Coyne has the concern, which I share.

Mr. Coyne:

Maybe what we ought to do is recommit Bill No. 3812 so that the Department of Public Works wouldn't be under any illusion that we are prepared to give up the Saw Mill Run money for the implementation of the East Liberty Study.

The Chair:

The only hang up here is with the federal funds, the City no doubt applied and for some reason or other didn't qualify and those at Alcosan feel that they may be able to qualify for as high as 75% or 80% federal funds. If they do, there is really no problem, but if you don't get those kind of funds and you are talking about box car figures and nobody seems to know where it is going to come from. Alcosan can't go for the \$80 Million and obviously the City can't, so we are in quite a dilemma and this is a project that I know has been close to Mr. Stone's heart and something has to be done down there and has to be done soon, but who is going to assume the responsibility of the cost is something else.

Mr. Lally:

Has the East Liberty job been completed Bill?

Mr. Coyne:

No, the Study is completed and now it is a matter of implementing what the study recommended and they need an additional \$125,000 which I'm sure they can get from some other account, but I don't think that they should be dependent on the Saw Mill Run money.

Mr. Lally:

Can you separate the two?

Mr. Coyne:

They already are separated.

Mr. Stone:

Jim, he wants to send it back for the Administration to come up with an alternative fund from which they will take the money and I think that is sound.

The Chair:

I think we ought to play safe and recommit it at this time.

Mr. Coyne moved to recommit Bill No. 3812.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

Bill No. 3813

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Installation of Sidewalk Ramps for the Handicapped (PW 78-29) and other work incidental thereto; providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. Depasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3877 Report of the Committee on Planning, Housing and Development for September 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3716

A Resolution entitled, "Resolution amending Resolution No. 128, effective March 1, 1979, entitled: 'Resolution providing for an agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility located at 101 Bon Vue Street, 26th Ward, City of Pittsburgh,' by increasing the total amount authorized to \$193,000.00"

Which was read.

Mr. Givens:

I believe all the Councilmembers are in receipt of a letter from Rege Young in regards to the Perry Hilltop Association, that is Bill No. 3716 and I think what they have indicated here is that we just need a little bit more time to look into this particular thing. Rege and them had a short suspense notice to some degree, at the same time, I think the Perry Hilltop people would like to look at Rege's letter of the 17th of September and maybe they can give us some answers, so it is requested that we recommit Bill No. 3716.

Mr. Lally seconded the motion.

Which motion prevailed.

Also,

Bill No. 3744

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01-(a)-A-14 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to

Shadyside Hospital to construct a four story office building and a six story parking garage on certain property zoned 'R5' Multiple-Family Residence District identified as Lots Numbered 126 and 150, Block 51-R and Lots Numbered 7 and 10, Block 51-L in the Allegheny County Block and Lot System, located on the southerly side of Centre Avenue and westerly side of South Aiken Avenue, 7th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Mrs. Masloff
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 7

Noes 1 (MR. ROBIN-
SON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3745

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Southwestern Pennsylvania Regional Planning Commission for payment to the City in connection with work performed to carry out the 1979-80 Unified Planning Work Program."

Which was read.

Also,

Bill No. 3746

A Resolution entitled, "Resolution authorizing a Cooperation Agreement bet-

ween the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of the Neighborhood Commercial Improvement Program at a cost not to exceed \$890,000."

Which was read.

Also,

Bill No. 3747

A Resolution entitled, "Resolution amending Resolution No. 735, approved August 20, 1979 entitled, 'Resolution providing for a Supplemental Agreement or Agreements with ACTION-Housing, Inc., for professional services in connection with the Department of Housing's Neighborhoods for Living Center' by changing the source of funds."

Which was read.

Mr. Robinson:

Mr. President, I would like to have my remarks from the meeting of last Wednesday on Bill No. 3747 incorporated into the minutes of this meeting.

MR. ROBINSON'S REMARKS FROM THE MEETING OF WEDNESDAY, SEPTEMBER 12, 1979:

Mr. Robinson:

Mr. Brophy, I think if we have a program, the first obligation is to the people who live in the City and to the people who live in the neighborhood.

Also,

Bill No. 3748

A Resolution entitled, "Resolution amending Resolution No. 831 approved July 31, 1978 and Resolution No. 995, approved August 28, 1978, entitled: 'Resolution providing for a Cooperation Agreement with Community Human Services, a non-profit organization for the renovation of a building located at 372 Lawn Street, Pittsburgh, PA. 15213 for domiciliary care of the area residents' by revising Section 1 to reflect an increase of funds necessary to fully complete the proposed renovation and a change in the City Trust Fund from which the increase in costs

of said agreement is to be paid."

Which was read.

Also,

Bill No. 3749

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Manchester Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Manchester Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 3750

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Manchester Citizens Corporation for services in connection with The Manchester Project and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3818

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the GIANT EAGLE DISTRIBUTION CENTER URBAN DEVELOPMENT ACTION PROJECT: providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection

with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3878 Report of the Committee on Supplies for September 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3781

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of six (6) trousers, ten (10) oxygen regulators, ten (10) sphygmomanometers, ten (10) 9 way oxygen wrenches, and thirty-six (36) cylinder wrenches for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No 3782

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the furnishing and delivery of fifteen security screens for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 3783

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of two (2) pneumatic lifting bags for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3784

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) stretchers for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3785

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of three (3) power cutters, three (3) extension hoses, and six (6) cutting blades for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3786

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a screen printing press for the Painting Division, Bureau of Operations, Department of Public Works,

and for the payment thereof."

Which was read.

Also,

Bill No. 3789

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of combined tapping and drilling machines for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 3790

A Resolution entitled, "Resolution providing for a contract for the furnishing, delivery, and installation of a High Density Movable Storage File Unit System for the Department of City Treasurer; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff for Michelle Madoff presented

No. 3879 Report of the Committee on

Water for September 12, 1979 transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 3768

A Resolution entitled, "Resolution providing for an agreement or agreements with the American Chain and Cable Company, Inc., for professional instructional services in connection with instruction of Department of Water personnel in the maintenance and repair of the supervisory control system within the Purification and Pumping Division; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePASQUALE
	(Pres't)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3880 Report of the Committee on Lands and Buildings for September 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3758

A Resolution entitled, "Resolution providing

for a license to Duquesne Light Company for the installation of one (1) pole and one (1) anchor on City property fronting on Broadhead-Fording Road, 28th Ward."

Which was read.

Also,

Bill No. 3759

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 3760

Resolution amending Resolution 1027, approved 12/27/76 for the sale of property in the 29th Ward on Nobles Lane to William M. Hutton and Dorothy Mae Hutton, his wife for the sum of \$1,000.00, delete parcel 60-E, Lot 111 and reduce sale price to \$800.00 for the reason this parcel was not taken in the name of the registered owner. All else to remain the same.

Which was read.

Also,

Bill No. 3761

A Resolution entitled, "Resolution repealing Resolution No. 1437, approved 12/14/78, for property in the 17th Ward being a 2 story brick double house on 20-22 Enon Way, Block 3-M, Lot 332, to William F. Opferman and Michael Cunningham for the sum of \$900.00. Purchasers have failed to comply with agreement of sale. Hand money in the amount of \$100.00 to be forfeited.

Which was read.

Also,

Bill No. 3762

Resolution repealing Resolution No. 168, ap-

proved 2/28/77 which authorized the sale of property in the 5th Ward being two 2 story brick houses on 2041 Centre Avenue and 507 Erin Street, Block 10-N, Lot 287, to Ewari Ellis for the sum of \$1,500.00. Hand money of \$150.00 to be forfeited and sale cancelled. Purchaser failed to complete sale as per agreement.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes	B	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

No. 3881 Whereas, Charles A. Lewis has served as a Pittsburgh Fire Fighter since August of 1951, beginning his career as a "Hoseman" to his present position of Captain; and

Whereas, throughout his career Mr. Lewis has displayed sincere concern for the dignity and rights of labor, beginning his active involvement in 1959 by serving as Director of Public Relations for the Fire Fighters Union; and

Whereas, through his diligence, integrity, and conscientious representation, Mr. Lewis rapidly passed through the union ranks by being elected Treasurer in 1962, Vice President in 1966, and culminating his

union career in 1967 by being elected to his present position of President of Pittsburgh Fire Fighters Local #1.

Now therefore,

Be it resolved, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the Citizens of Pittsburgh, hereby recognize and salutes Charles A. Lewis for his 28 years of distinguished service as a Pittsburgh Fire Fighter, and for his 20 years as a conscientious official of Pittsburgh Fire Fighters Local #1, including his 10 years as President of that union where he displayed sincere dedication in cultivating high social and moral standards in the field of labor.

Be it further resolved, that the Mayor and the Members of Council wish to thank Mr. Lewis for his dedication, devotion, and service to the ideals of labor and to the Citizens of Pittsburgh.

Which was read.

Mr. Lally moved for adoption of the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

On the evening of September 28th at their regular monthly meeting, at the conclusion of the meeting the firemen are going to honor Mr. Lewis and this resolution will be presented. At the present time this is supposed to be a surprise, so I would appreciate it very much if nobody mentions what happened here in Council today. I don't know how they are going to keep it a surprise, but they are going to try.

I must also mention, everyone has a copy of the communique from Michelle Madoff stating the reason why she is absent from the meeting today.

Mr. Givens:

Mr. President, I still have one problem, I'm sure the rest of us do and maybe we can get from Bill Robinson or somebody here

who might have talked with the Mayor recently with regard to the refuse collection in the City of Pittsburgh, especially the East End. I just heard today where they are going to be using the people, the workers at nighttime with orange markers on them so they can be identified as such, working at nighttime and working day or nighttime or anytime is not going to solve the problem. Are they going to rent trucks? I know they don't have the money to go out and buy them. We've got a problem, we've got rat infestation in several of the neighborhoods of the City of Pittsburgh which is directly related to this garbage pileup. I'm just asking you, Mr. President or anyone else if they know which direction the Administration is working here, we have some money for rental of vehicles

The Chair:

I talked to the Mayor last Friday and apparently they feel that the problem is the Central Division which is Oakland, Bloomfield, the strip and what have you, therefore, I'm not quite sure if they are going to concentrate just on that central division or is this city-wide. The Mayor feels that the rest of the City collection has been adequate. Do you know Bill?

Mr. Robinson:

I was just going to say that I think that, at least as I perceive it, the problem goes beyond simply the question of being able to pick up the rubbish in the central division. I think there are central problems that go back to equipment, the purchase of equipment that we are presently using and while that subject is a delicate one to broach because it involves the previous Director of the department, I don't see how the Administration is going to be able to avoid that issue, particularly when they are thinking about proposing to us a \$5 Million bond program to turn over our total fleet. Coupled with that, I think, is perhaps an inability to fully implement the total Environmental services Program which includes animal control, rodent control as well as refuse pick up in some other areas and I think Mr. Givens concern is well taken relative to the other kinds of related problems. As I understand it right now, compounding the situation is the lack of equipment that is repaired and workable. Last Thursday I witnessed

myself, another one of our refuse vehicles being towed from the Beltzhoover area while our workers were attempting to clean up a backlog of garbage. One thing I noticed when that vehicle passed me, on the towtruck, was hanging out of the back, was a part of a stove, unfortunately. I think the issue of whether or not the drivers are abusing the equipment or whether or not the items that we are trying to carry in them is abusing them has not yet been resolved. But, I think that the problems that I mention coupled with the problems at the garage suggest that we are going to have to probably sit down and very seriously look at not only how we collect the garbage but the supportive kind of services that relate to Environmental Services.

It is my understanding at this point that the Director of the Department of Supplies is following up at least on one suggestion that I made and I'm sure others have made it and that is to go out and rent some equipment so that we could initially get the garbage out of people's back yards and off the streets and then sit down and look at the other problems.

I did get a call today from someone representing the Chamber of Commerce and they are ComPEP's committee and the individual indicated that he would like to sit down with myself and Director Yatch and talk about some of their observations and recommendations to improve the Department of Supplies which includes the garage. So, hopefully we can work at this probably all at the same time because I think it keeps growing and growing and growing and probably right now it is in such a major proportion that sending the men into the back yards at night is an emergency measure, one that I think is going to create some other problems, I'm not quite sure if that is as great as leaving the garbage there but I hate to think of our refuse workers having to go into people's back yards and along the sides of their houses late at night regardless of how they are dressed.

Mr. Givens:

That compounds the problem, that is what my concern is and somewhere somehow, either the Administration or this Council is going to have to look at the budget

and come up with some money for the lease of these garbage trucks, if we don't do that, it's just going to continue on and continue on. Its been doing this now since about some time in March or April and this past summer in my particular area we were lucky if we averaged a garbage pick up per month and the rats are there. We have a serious problem out there and it doesn't take long for these little buggers to multiply very quickly and before you know it we have a very serious, serious problem and I've gotten complaints from numerous people and I see them trying to work different schedules and everything else, but in that central division, they have 30 some vehicles and nine of them traditionally have been in operation throughout this period of time and they fired the two people from the central division. How can you fire a person when in fact you don't give him the equipment to do the job with, I wonder how that is going to end up in the courts or within the unions and that. But it is something that must be done, I don't know, maybe we could bring Director Yatch up here this Wednesday and ask him what he is doing to remedy this situation, especially in that central division which covers a large area of people living very, very closely together meaning double lots, people's back yards facing one another, the garbage cans within hand's reach of the back door of the kitchen where they could not even sit out all summer long because of the stink that was created from the garbage and in many cases they waited until the Pa Pitt thing would come along wherein the people had to take their garbage from the back yards, three to four weeks worth and bring it out in the front street. Now, we are talking about older people in Polish Hill, Lawrenceville, Bloomfield, Garfield and areas like that. It is to the point, when you talk about taxation and dollars, the one thing that the people see at least used to see on a weekly basis was their garbage pick up. That is the one most visible thing that they really see is garbage pick up, that happens once a week, or it used to happen once a week.

I would like to bring in someone Mr. President, maybe you could talk to the Mayor and see who we could have before us this coming Wednesday, I'm not trying to criticize but I think it has come to the point of decision.

Mr. Coyne:

Mr. President, I think we have talked to Director Yatch enough about the refuse problem and certainly there is a problem in the upkeep of the vehicles when we asked them before if there was any preventive maintenance being done on the refuse trucks, he said he was having a hard time just keeping up with the repairs much less to do any upkeep. But I think it is time that we put the blame exactly where it is and that is with the Mayor and the Director of Environmental Services. If they aren't interested enough to clear up a situation that has existed for at least a year in this City that I know of, including last winter, then I think we are misguided in just asking how many trucks and when they are going to be repaired and when we are going to rent trucks. The problem is the Mayor and the Director of the Environmental Services are not administering the Department properly and the people who are being fired in the Bureau of Environmental Services are the scapegoats. These people, when you don't give them the equipment and you don't give them the guidance, how can they perform their work, but the easy thing is to fire them and they think the problem is going to go away, but it is not going to go away until we get proper administration of that Department from the Mayor and the Director of Environmental Services.

The Chair:

Bill, I have to agree with you 100%, the gentlemen you are talking about, who were fired or dismissed, I talked to them on occasion where they were waiting for trucks and practically pleading and saying what can we do we don't have the trucks and we can't move and when you read or hear about fellows like this getting fired you wonder why, if they are saying the reason is lack of equipment, then how can you blame them if the equipment isn't there.

I have one other question in regards to the people working from 12:00 on, am I to presume that they are going to work longer hours? In other words instead of starting at 3:00 or 4:00 they are starting at midnight but they will work until the regular quitting time as they did in the past which means they will actually be working overtime.

Mr. Coyne:

Well, the problem is trucks, they need the equipment, so if the trucks are out working from say 5:00 A.M., to 11:00 A.M., then they can't be there for the 12:00 to 8:00 shift, so what they are saying is they will work them 12:00 to 8:00 and then have them go out again when they come in on the second shift which makes them available potentially for sixteen hours a day.

Mr. Lally:

They're not doubling out though. The trucks are being used for sixteen hours, but the men are only working an eight hour shift and some of them are starting at 7:00 P.M. and working till 3:00 or 2:00 A.M. They are just splitting the shifts, they changed the hours. This was okayed by the union by the way.

The Chair:

I understand they held a meeting today, I don't know what came of it.

Mr. Stone:

Mr. President, if I may, it is interesting to hear Mr. Givens complain that this is happening in the eastern part of the City of Pittsburgh and yet I recall a while back when we came before this Council table when Mayor Flaherty was here and we had a complete review of the entire refuse program and system as it existed in the eastern part of the City of Pittsburgh and it turned out that it was utterly fantastic, it was tremendous, everybody was satisfied -- well, everybody but the Administration was satisfied, citizens were happy it was being taken all the time. So, what we did in the City of Pittsburgh, at least the Administration did that year was we decided to give them a reward, of course it is the kind that I'm not accustomed to but nevertheless that was the reward they got. We cut the squads from four to three and then we cut out the incentive and then from that time we started to have some other problems. Then came the matter of Mr. Yatch and you know I've been accused of being rather heavy with him, I'm sorry it was not Yatch, it was Wyckoff when he was here and everyone thought he should have stayed and the Mayor said he was a good Director at that time and he was leaving only

because of the pressures that came upon him. That was regrettable, but then when we found out, here was a man who did not budget properly and he put vehicles into a garage in July and couldn't get them out until September because he didn't have the money — these were all little signs all along the line that there were some problems. We had some automotive problems that this Council complained about and we brought that division up here many, many times and everything was fine, we encouraged them to get more mechanics and the more we encouraged more mechanics all we heard was that we were still trying to get them but we always found out they couldn't pass the test with out Civil Service Department.

Last year we got into a problem relative to the Pa Pitt Program and now there is an attempt and this is a regrettable thing that there seems to be now a kind of smokescreen kind of proposition that because Council did not go for the Pa Pitt Program therefore we have the problems. I think we ought to look into that a little bit better because there have been sometimes, even upon this Council, some thoughts that maybe that is in fact true. Mr. Yatch has told us that the prior Administration did not spend its proportionate share of funds to continue to set a fund whereby they were going to make purchases. I think he indicated they should be funding away something like 10% or 15% and that had not been done and now he is going to request a heavy percentage.

I said a while back that I think it is about time that instead of just making changes and purchases that we start looking at this a little bit better. I think we ought to look in depth into this particular matter whether first of all, we still have to find the kind of vehicle, the proper specifications, it wasn't too long ago we bought vehicles and after we got the vehicles we said they weren't capable of carrying out the duties that were supposed to be given to them. I think this program has now reached the point that it should not create any problems upon this Council body anymore, but I think we ought to recognize it has not been Pa Pitt in 1979, it has been a total neglect of a program and now we are coming to that point where we are going to have to pay for it. I for one am not going to take too lightly any large expenditures with regard to the City of Pittsburgh until we start looking at, first of all, what our needs are and

whether or not we are going to get something to satisfy those particular needs. I don't think we have addressed that. There seems to be a moment this time just to run and buy or rent and to do everything we can. I sincerely believe that everyone in this City of Pittsburgh is entitled to have their refuse removed and I think we ought to get to doing that, but I think we have got to solve the problem on a permanent basis rather than a temporary basis which seems to be the kind of a band aid kind of relationship that we have experienced in 1979 and I hope it will soon come to an end by this Council staying unified and enforcing a little more concrete, logical results rather than a temporary nature.

Mr. Coyne:

Mr. President, I would like to comment also with regard to the people who have been fired in that Department, or asked to leave, and say that it wasn't those people that were fired that determined we were going to have three pick ups this year instead of the customary one Pa Pitt Pickup this year. Those foremen had nothing to do with that, the Mayor of the City of Pittsburgh did that and also the shift of routes during a season when we have a high concentration of pick up anyhow during the summertime, was not something that the foremen did, but was made by the Administration and also with regard to whether or not this is a City wide problem or just isolated to the East End, I'm sure you all got a copy of the letter today from the individual who wants to buy the house on the South Side near the Market House, but is reluctant to buy it because her attorney sent the letter, is reluctant to buy it because she cannot procure fire insurance because of the collection of garbage in the rear of the house. So, it is not an isolated instance, it is on the South Side.

Mr. Robinson:

Mr. President, just one other comment on the equipment, it is a problem I think that in many respects directly relates to Mr. Stone's comment about more seriously sitting down and looking at this whole situation. Without trying to compromise anyone, I think that this has at least been an issue in this City for last year and a half, a very quiet issue in terms of how we purchase

equipment, particularly large equipment and whether or not our method of developing specifications and following through on them is indeed giving the citizens of this City the best equipment and whether or not our method of developing specifications and following through on them is indeed giving the citizens of this City the best equipment at the best price. Hopefully in the process of resolving our problems around the equipment in general, we can find some way to get to this that does not involve personalities and does not involve perhaps dredging up too much of the past. I think if we look at the equipment in the Refuse Department, particularly the larger packers that we are having problems with, I think we will see that the ones that were most recently purchased, the ones that I questioned, why we should perhaps standardize on them, are the ones that are giving us a lot of problems and I think that the Director of the Department, I guess for a variety of reasons, have been unable to perhaps share with us his concern for some of the equipment that he is working with. As I said, I am not trying to compromise anyone, but I think that at least in the case of the large packers, as that relates to this whole overall issue of collecting the garbage and our equipment problem, I think we perhaps have a classic example of equipment that was purchased without us being perhaps as stringent as we should have been around the specifications, the bidding process and the purchasing process and hopefully no one person in the City and no one Department will receive the blame for our present situation, I think Mr. Stone is correct in saying that much of this stems back to a previous Administration.

Mr. Coyne:

Mr. President, for my part, I am not reluctant at all to put the blame right in the Mayor's Office. He has been the Mayor for two and a half years and it would seem to me that the garbage problem that he inherited at that time, has had sufficient time to be remedied. Garbage collection is one of the most important services that the City provides and one of the most basic services and I'm not reluctant at all to lay that blame right there and it was the Mayor that chose Director Walker to be his Director.

Mr. Givens:

Mr. President, I don't know if anyone has ever done so, but about three to four years ago, it seems that, just about the time I was doing a study on the garage down there, was when Mayor Peter Flaherty instituted the -- rather not instituted, but did not continue the contract of garbage pick up on the North Side. Now, as we all know the North Side of the City of Pittsburgh represents one fifth of the total population in the City of Pittsburgh. I know new garbage trucks were bought at that particular time but I am not saying that the fleet operation is such that it would have required the purchasing of those vehicles. There were a few additional crews put on, but I wonder if one would go back and look into that, did we in fact buy enough of vehicles and did we in fact put enough crews on to take care of the whole North Side area. There are still routes on the North Side where people are not getting their garbage picked up and this is probably three to four years later from the time the City of Pittsburgh took that over from, which was, for many, many years a contractual agreement. This is something that might compound the problem that we are seeing today along with everything else. So, I ask you Mr. President, if you would talk to the Mayor and his staff and see who can come before us this coming Wednesday to explain which direction they are going. If I have assurance that they are going in the right direction, I would never have brought it up today, but I have heard a lot of hearsay, a lot of changing of the shifts, a lot of changing of people around, the firing of some people but yet I haven't seen any new vehicles being rented or bought or anything else and I am deeply concerned.

The Chair:

Well, to that respect, obviously we are all in favor of a solution. If I may, Mr. Robinson, and I'm not one to dwell on the past, but it goes back to approximately a year ago when we had the budget deliberations and it was put to Mr. Walker very plainly and bluntly, could he continue without the Pa Pitt and at the time Council was contemplating doing away with the Pa Pitt Program and I believe saving the City something like three quarters of a million dollars. I think our decision would have been changed or swayed if Mr. Walker at that time had said he needed Pa

Pitt and couldn't exist without it. He said he preferred Pa Pitt but he could go along without it by doing it with three collections and picking up the bulk the same day as the regular collection if they were notified it was going to be out there and they would come by and pick it up.

So, now the dilemma is that they can't do it and apparently they couldn't do it at that time. Perhaps part of the blame belongs with Council. We may have insisted that Pa Pitt stay in but we thought after Mr. Walker's answer we'd go ahead without it and apparently we were deluded and as you see today, we have a dilemma that we just can't seem to cope with and as I said earlier obviously we are in favor of any solution, and if starting to work at midnight or what have you, or somehow getting new equipment is the other — I talked to Mr. Kennedy today and he informs me that there is some equipment available that can be delivered in something like a month and they talked to Mr. Yatch today in regards to getting that order up to Council so we could move on it. Exactly where the equipment is and what he was referring to I don't know because it was a hurry up conversation. Maybe he talked to other members of Council and you may be more aware than I am but if that situation exists I think we ought to --

Mr. Lally:

Mr. President, the equipment is in Etna.

The Chair:

Is it in Etna?

Mr. Lally:

Yes, it is the Iron City White Truck Company, they have equipment available right now at the present time, Bill.

Mr. Robinson:

I spoke with Mr. Kennedy concerning that matter. Mr. President, I would just like to say one thing in line with Mr. Coyne's comments, I don't want to belabor the point, but on several occasions, I have suggested that perhaps we have not heard from all of the parties concerned, and I don't say this very

lightly, but I think that we have probably come to the point where we need to hear from the Mayor, if for no other reason, I think both Director Yatch and Director Walker have reached their limit in terms of giving us any kind of explanations that are adequate and as Chairman of the Committee on Supplies, I'd be rather reluctant at this time to have Director Yatch come back and basically tell us what he has told us before under very frustrating circumstances. Also, I would like to avoid if possible any kind of conflict between Director Yatch and Director Walker, neither of whom is the supervisor of the other, both of whom report either to Mr. Matter or the Mayor himself. It appears that this problem is of such proportions and I think Mr. Coyne is on target in terms of indicating that the solution to it in many respects is in the Mayor's Office. I say all of that to say that if we do indeed bring the Directors before us on Wednesday or any other day, I think we are at the point now where we need the Mayor of the City of Pittsburgh to come along with them, if for no other reason but to give this problem some perspective.

The Chair:

Well why don't we get to the root of it, as Mr. Givens said, and ask the Mayor to come in here Wednesday along with Mr. Walker.

Mr. Stone:

Mr. President if I may, I'd like to go back to your comment. You and I differ on this point of Pa Pitt, it is not the Pa Pitt thing that has caused the problem in '79, I think we ought to address ourselves to that. The automotive problem is something, there is something, there is something wrong with our automotive department, they don't have enough of mechanics and they apparently don't have good ones. As a result those vehicles are always there. I think last week, or three weeks ago, or maybe before the summer, something like—its average 25, it was something like 50, if I recall, Mr. Yatch said something in the newspaper here about two weeks ago that it was something like 60 or 70 vehicles—

Mr. Robinson:

Eighty four last week.

Mr. Stone:

Eighty four. Well, you are getting that kind of figure, this tells you something, that vehicle either isn't able to do it or it can't take the pressure, or the mechanics can't fix it long enough or fast enough to get it back and going already. Now how bad are these pieces of equipment? If it is good equipment, then they ought to be able to fix it in a hurry, if not, let's send it out to get it fixed and if it takes a month to get other equipment it shouldn't take more than a month for us to fix it, let's get it going. I don't know what all this delay is, but I think it's wrong and that is the reason I'm trying to point it out.

We've gotten into some side debates about whether Pa Pitt has been the problem. I think it is very crystal clear that Pa Pitt has not been the problem.

Let me go back a second -- from the time that Wyckoff was in our information department, we were told there is a computer program down there covering every vehicle in the City of Pittsburgh. I'd like to see that computer print out now with Mr. McAllister telling us when these things were in the garage, when they were not in the garage and find out what the problem is.

Mr. Coyne:

Mr. President, with regard to maintenance of the trucks, I think it also ought to be pointed out that for many many years this Council advocated the filling of vacancies for mechanics who were working in the garage and every time that we were told at budget time for five consecutive years when there was a vacancy, "Oh, that's in the Personnel Department", "There's a slip in the Administrative Office, that's going to be filled". As late as last November and December when we said, do you need additional mechanics, we were advised by Ken Fields from the Mayor's Office, they didn't need additional mechanics, that they could handle the workload with what they have. Now we have an individual that is the head of the garage down there telling us that he could use twice as many mechanics as he has on staff now, and I just wonder what the difference is now from what it was last November and December.

Mr. Givens:

If you can remember also, Mr. President, they gave a test to those mechanics and I think they had 100% failure rate.

The Chair:

A poor mechanic is better than none at all.

Mr. Robinson:

One last comment, I'm sure Mr. Coyne is aware of this and I'm sure others are, at one point the refuse drivers had accessible to them, mechanics who work solely on their vehicles. They now no longer have that and I think that speaks to the issue of not having enough people to adequately address some of our mechanical and automotive problems. All the mechanics now work on all of the equipment and there may be a question as to whether or not there is a competency to specifically deal with the problems that relate to the refuse vehicles in light of all the other vehicles we have in the City. We have approximately 1,200 vehicles.

Mr. Coyne moved to excuse Michelle Madoff for absence from this meeting.

Mr. Bulls seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, September 10, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, September 24, 1979

No. 38

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, September 24, 1979

PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT:

Mr. Bulls	Mr. Stone
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The meeting was opened by the recitation of the pledge of the allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America. and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I would just like to mention that there are two members of Council absent today, Mr. Bulls, whose mother-in-law died and is laid out at West Funeral Home, I don't have her name at present, but a memo went out to all members regarding same.

Bob Stone is in Washington, DC with the National Association of Council of Governments, he, as a member of the Board of Directors is meeting with members of the Large Metropolitan Councils and Federal Bureau Heads.

Every week one of our Councilpersons goes to Washington, pretty soon we are going to be famous.

Michelle Madoff:

I just want to know one thing, is it a legitimate expense, I am hesitant to put it in.

The Chair:

Anything that is City business is an expense.

PRESENTATIONS

Mr. Coyne for Mr. Bulls presented

No. 3882 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation in the amount of \$1,164.00, in payment for rental of equipment for July, August, and September 1979, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

Mr. Coyne presented

No. 3883 Resolution providing for the issuance of a warrant in favor of Independent Enterprises, Inc., in the amount of \$5,270.00 in payment for Extra Work fur-

nished for the benefit of the City in connection with the reconstruction of a public sewer on Glenn Way and providing for the payment thereof. Payable from Code Account PW 78-32, approved by Council Bill 3735 of 1979.

Also,

No. 3884 Resolution providing for the issuance of a warrant in favor of Atwood-Bates Construction Co., Inc., in the amount of \$20,000 in payment for emergency work furnished for the benefit of the City in connection with the reconstruction of East Ohio Street (collapsed sewer) and providing for payment thereof, payable from PW 76-42 approved by Council Bill 3523 of 1979.

Also,

No. 3885 Resolution transferring the amount of One Hundred Twenty Four Thousand Five Hundred (\$124,500.00) dollars from and into various code accounts in the Department of Public Works.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3886 Resolution granting unto Giovanna J. Catanese, her heirs, administrators and assigns, the privilege and license to construct, maintain and use, at her own cost and expense, a four-inch brick facing with two windows on her building at 5512 Walnut Street in the 7th Ward of the City of Pittsburgh.

Also,

No. 3887 Resolution further amending Exhibit I of Resolution 487 approved 7/12/76, as amended, entitled "Resolution approving 1976 Capital Improvements Project; allocating and setting aside amounts in connection therewith; etc., by creating a new line item.

Also,

No. 3888 Resolution further amending Exhibit I of Resolution No. 1589, approved 12/30/78, as amended, entitled, "Resolution adopting the 1979 Capital Budget; allocating

and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds" by reallocating funds.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3889 Resolution approving a Conditional Use under Section 993.01 (a)A(14) of the Pittsburgh Code, Title Nine, Zoning, for authority to Allegheny Health, Education and Research Corp. to use the structure located at 124 East North Avenue zoned "R4" Multiple-Family Residence District as administrative offices for the hospital Home Care Program with rear lot parking, 22nd Ward.

Also,

No. 3890 Resolution approving a Conditional Use under Section 993.01 (a)A(10) of the Pittsburgh Code, Title Nine, Zoning, for authority to use the structure at 10 and 12 East North Avenue as an Institutional facility to Light of Life Rescue Mission on property zoned "C3" and bounded by: East North Avenue; Lot 98, Block 23-L; Citron Way; Lot 101, Block 23-1; 22nd Ward.

Also,

No. 3891 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Evan Stoddard to attend 1977 Economic Censuses User Conference, Pittsburgh, Pa., September 27, 1979 at cost not to exceed \$25.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 3892 Communication from Robert Lurcott, Director of the Department of City Planning, requesting permission for David Toal, to attend meeting with HUD officials to discuss application for increase in 1979 CD-BG budget, Housing for the Elderly, September 25, 1979, at cost not to exceed \$150.00 payable from Community Block Grant Funds, Code Account CDPA.

Also,

No. 3893 Communication from Paul C. Brophy, Director of the Department of Housing, requesting permission to attend meeting with officials from Pennsylvania Savings and Loan League, Harrisburg, PA September 26, 1979, at a cost not to exceed \$125.00 payable from Code Account 1371, Administration, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing, and Development.

Mr. Lally presented

No. 3894 Resolution providing for a lease of property at Federal and Lafayette Streets known as Block 46-K, Part Lot 216, 26th Ward, from Nunzio and Carmella Pilotta, for a term of one year at a rental of \$10.00 per month for automobile parking purposes effective September 1, 1979, chargeable to and payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Also,

No. 3895 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 3896 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. P.L. 787, May 21, 1937, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3897 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company in the amount of \$29,500.00 in payment for extra work for Rehabilitation of Howard Street Pumping Station, chargeable to and payable from Bond Fund No. 230, Department of Water.

Also,

No. 3898 Resolution providing for the issuance of a warrant in favor of Pittsburgh Heating and Cooling Inc., 923 Chartiers Avenue, Pittsburgh, Pa., 15220 in the amount of \$19,000.00 in payment for the repair of the air conditioning system at the Water Treatment Plant, chargeable to and payable from the following accounts; Bond Fund 229, WD-78-9 Buildings Structures; Emergency Repairs.

Which were read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 3899 Resolution providing for the issuance of \$716.28 warrant to Flavoripe Company for cold cup lids for concession stands at Pittsburgh Zoo payable from Code Account No. 1852, Miscellaneous Services, Zoological Park Commission.

Also,

No. 3900 Resolution providing for issuance of \$320.68 warrant to Davison Sand and Gravel Company for gravel needed at Pittsburgh Zoo, payable from Code Account 1852, Miscellaneous Services, Zoological Park Commission.

Also,

No. 3901 Resolution providing for the transfer of funds in the amount of \$2,500.00 from Code Account 1839, Supplies and Materials to Code Account 1841, Repairs, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3902 Resolution amending Resolution No. 268 effective April 3, 1979 entitled "Providing for an agreement/s with Pittsburgh Ballet Theatre for the furnishing of performances to residents of Pittsburgh during 1979 and providing for payment not to exceed \$9,500 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services" by

providing an additional \$3,000 for additional services, chargeable to and payable from Code Account 1838, Recreational Activities Miscellaneous Services.

Also,

No. 3903 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting permission for Dr. Michael Nuzzi, to attend Annual Conference of the American Association of Zoo Veterinarians, Denver, Colorado, October 7-11, 1979 at cost not to exceed \$669.00, payable from Code Account 1852, Miscellaneous Services, Zoological Park Commission.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3904 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$4,737.76 for payment of chemicals furnished to the City of Pittsburgh without previous authority of law, chargeable to and payable from Code Account No. 1750, Chemicals, Department of Water.

Also,

No. 3905 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$3,550.46 for payment of chemicals furnished to the City of Pittsburgh without previous authority of law, chargeable to and payable from Code Account No. 1750, chemicals, Department of Water.

Which were read and referred to the Committee on Finance.

Also,

No. 3906 Communication from Lawrence Yatch, Director of the Department of Supplies, requesting interim approval of payment of \$6,705.47 to Boswell Oil Company for emergency purchase of #2 fuel oil.

Also,

No. 3907 Communication from Lawrence Yatch, Director, Department of

Supplies, requesting interim approval of payment of \$5,093.95 to Boron Oil Company for emergency purchase of Diesel #2 fuel oil.

No. 3908 Communication from Lawrence Yatch, Director of the Department of Supplies requesting interim approval of payment of \$9,580.25 to Allied Chemical Alum to be used in Water Treatment Plant.

Also,

No. 3909 Communication from Lawrence Yatch, Director, Department of Supplies requesting interim approval of payment of \$11,770.83 to Allied Chemical for purchase of chemical alum to be used in Water Treatment Plant.

Also,

No. 3910 Communication from Lawrence Yatch, Director, Department of Supplies requesting interim approval of payment of \$3,045.73 to Pak-Mor Manufacturing Company for emergency repair work to City vehicles. Funds are available in Code Account 1148, Automotive Parts, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

At the standing committee meeting of Council of September 26, 1979, Mr. Robinson moved to suspend Rule 8 on the preceding bills so that the bills will be on the agenda this Wednesday.

Which motion prevailed.

Also,

No. 3911 Resolution authorizing and directing the Director of the Department of Lands and Buildings on behalf of the City to enter into a lease with Kingsley House Association for a term of 99 years at a rental of \$1.00 per year, property located at 220 Larimer Avenue, 12th Ward.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Stone presented

No. 3912 Resolution providing for issuance of a \$1,280.32 warrant in favor of A.Z. Chevrolet, Inc., for damage to a 1979 Chevrolet struck by a Dept. of Police vehicle, charging same to Code Account 46, Judgments.

Also,

No. 3913 Resolution providing for issuance of a \$1,000 warrant in favor of William J. Crowley, c/o Herman Lipsitz, Esq., for damage to property as a result of malfunctioning City sewer, charging same to Code Account 46, Judgments.

Also,

No. 3914 Resolution providing for issuance of warrant to Harleysville Mutual Insurance for \$2,019.00 for damage to a 1970 Oldsmobile by a Bureau of Refuse vehicle charging same to Code Account 46, Judgments.

Also,

No. 3915 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Margaret Checco, to attend OS/6 Supervisor's Seminar, Washington, DC, October 17-19, 1979 at a cost not to exceed \$500.00 payable from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 3916 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Linda Hardy, to attend employee management seminar, Monroeville, PA October 4-11, 1979 at cost not to exceed \$50.00 payable from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 3917 Communication from David L. Donahoe, City Treasurer, submitting a report of deposits and market value of

collateral security pledged by City Depositories to secure same as of August 31, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3918 Report of the Committee on Finance for September 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3798

A Resolution entitled, "Resolution transferring the aggregate sum of \$550,000.00 from Code Account Nos. 53-1, 1099, 1443, 1461 and 1830, to Code Account No. 46, Judgments." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 3798, I think it is important to mention that when I checked around I found out that Mr. Stone was absolutely correct in changing the source of the funding, because had we gone with taking the money out of the funds previously, that would have been taking from Paul to pay Peter because we would have reimbursed the pension funds next year out of operating costs. This way we avoid at least in this fund, having to have an increase in taxes.

Also,

Bill No. 3808

A Resolution entitled, "Resolution transferring the sum of \$2,000.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Parks and Recreation, Bureau of Recreational Activities."

Which was read.

Also,

Bill No. 3809

A Resolution entitled, "Resolution transferring the sum of \$40,000 from Code Account No. 1420-1, Premium Pay, Emergency Medical Services as follows: \$40,000 to Code Account 1154, Motorized Equipment, Department of Supplies, for the purchase of a new ambulance and a portion of the replacement cost of Rescue 1."

Which was read.

Michelle Madoff:

Mr. President on Bill No. 3809 I thought I would like to share with Council that the bills had already gone out on the paramedics, you know, the non-City residents, and if memory serves me well, I think Mr. Bulls checked and the figure is something like \$22,000.00 we already have collected. That, I think is just a bit, you know, we are just starting to get the money, I don't know what kind of collection system we have, but whatever it is, it is more than nothing, and there again it's some way of having revenue for other needs.

The Chair:

There is one folly, how much does it cost them to collect it?

Michelle Madoff:

Well, that may be something that we want to check into, I don't think at that figure that it is probably costing us anything except a stamp.

The Chair:

The problem is if they don't want to pay it and if you have to go after them it's going to cost maybe more than it is worth.

Michelle Madoff:

Well, Mr. President, I believe that those dollars, they expect to get no more than 50% and I believe those dollars were just a postage stamp and a bill.

Also,

Bill No. 3810

A Resolution entitled, "Resolution transferring the sum of \$20,000 from Code Account No. 1457, Purchase of Uniforms and Equipment, to Code Account No. 1452, Equipment and Machinery, Department of Police."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3823

A Resolution entitled, "Resolution amending Resolution No. 687, approved August 7, 1979, effective August 10, 1979, entitled, 'Resolution providing for the issuance of a warrant in favor of Casciato Brothers, in the amount of \$1,778.00 for extra work in connection with the construction of No. 2 Police Station, without previous authority of law, and providing for the payment thereof, by changing the source of funds.'"

Which was read.

Also,

Bill No. 3828

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn

Construction Company, Box 431, New Castle, Penna., 16103, in the amount of \$2,000.00 in payment for the painting of two 24" water mains on the South 10th Street Bridge and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills? (

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Mdoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3829

A Resolution entitled, "Resolution transferring \$60,000.00 from Code Accounts 1700, 1795 and 1796, Salaries and Wages, Regular Employees, to Code Accounts 1705 Repairs and 1714 Materials."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3835

A Resolution entitled, "Resolution providing for the issuance of a warrant to Margaret Brietkruetz in the amount of \$1,331.80 in full settlement of claim for automobile damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3836

A Resolution entitled, "Resolution providing for the issuance of a warrant to Murray B. Rosen and Natalie Rosen, his wife, Meyer Tatelman and Sandra Tatelman, his wife, Seymour J. Seltman and Helen Seltman, his wife, and John E. Quinn and Anna Mae Quinn, his wife, in the amount of \$1,000.00 in full settlement of claims for damages to a private driveway, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3837

A Resolution entitled, "Resolution providing for the issuance of a warrant to Allstate Insurance Company and Susan Reinfeld in the amount of \$1,186.86 in full settlement of claim for automobile damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3838

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, M.D., in the aggregate amount of \$1,050.00 for professional services rendered for the benefit of the City for physical examinations administered to School Crossing Guard applicants without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3919 Report of the Committee on Public Works for September 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3812

A Resolution entitled, "Resolution amending Resolution No. 780, effective 8-22-79, entitled, 'Providing for a Contract or Contracts for East Liberty Study Implementation (PW79-22); and providing for the payment of costs thereof', by increasing the amount of funds authorized."

Which was read.

Mr. Givens:

Bill, on Bill No. 3812, it is presently indicated that the Community Development Fund money — they took Saw Mill Run out of there, right? They had the Saw Mill Run monies in there but I noticed Community Development Fund here. My point is they were supposed to come up sometime before today and give us indication of other monies than the Saw Mill Run. My question here is, are these two funding, is that Saw Mill Run or is that this — even though it is Community Development money — Project 7818?

Mr. Coyne:

Well, they haven't been able to give us any other source of funding, so maybe what we could do is recommit the bill.

Michelle Madoff:

Is that out of Saw Mill Run's money?

Mr. Givens:

Well, that is what I'm asking, I don't know if that funding site is still —

Mr. Coyne:

No, it's Community Development.

Mr. Givens:

It's Community Development money for Saw Mill Run, for East Liberty. I haven't received anything — have you received anything Mike?

The Chair:

We are a step further pending help from other sources, the Federal Government or ALCOSAN, which is in the future. They are going to have to keep that money in there.

Mr. Givens:

I'm all for this project and I want it to go, but I think it's the point that we brought up before.

The Chair:

We're going to have to keep that money in there because right now nobody else has come up.

Mr. Coyne:

Lou Gaetano has indicated that it isn't something that has to be done in the next two weeks, so we can afford to recommit this —

Mr. Givens:

No, no, wait—this money right here, the contractor is ready to go on Highland Drive as well as Broad Street in East Liberty.

Mr. Coyne:

Yes, but he indicated when he was up here before Council that it isn't something that has to be appropriated right away to allow it to go.

Mr. Givens:

I have to disagree with that Bill, the people out in the community, especially in the East Liberty area are saying — you know, if something doesn't happen out there damn quickly, businesses are flying out of there like crazy, we're going to have another ghost town again. I don't want this to happen and I don't think they do and the East Liberty people are very concerned about this particular piece of legislation and the funding. The only thing this Council was concerned about was that they were taking it from Saw Mill Run. Maybe we could pass the bill, strike out whichever one is Saw Mill Run, I think that is the \$125,000.00 and pass at least the \$300,000.00 one.

Mr. Givens:

Neither one of these are Saw Mill Run?

Mr. Coyne:

No. That's why I want to pass it.

Mr. Givens:

That was my original question, was any of it Saw Mill Run?

The Chair:

Quit while you are ahead, we were about to pass it.

Mr. Givens:

I'm all for it Mr. President.

Also,

Bill No. 3814

A Resolution entitled, "Resolution amending Resolution No. 937, approved October 3, 1977, entitled, 'Construction of a gas line to provide gas service to the City Refuse Office and locker facilities on 29th Street for the Environmental Services Department and for the payment thereof,' by increasing the amount to Eight Thousand Five Hundred Fifteen Dollars and charging the same to Bond Fund No. 227."

Which was read.

Also,

Bill No. 3815

A Resolution entitled, "Resolution vacating Palmtown Way, from Brookline boulevard to its southerly terminus in the Thirty-Second Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 **Noes** none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 3920 Report of the Committee on Planning, Housing and Development for September 19, 1979, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3716

A Resolution entitled, "Resolution amending Resolution No. 128, effective March 1, 1979, entitled: 'Resolution providing for an agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility located at 101 Bon Vue Street, 26th Ward, City of Pittsburgh,' by increasing the total amount to \$100,000." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3820

A Resolution entitled, "Resolution approving

a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Juniata Associates for the sale of Parcels 71, 72, 73 and 181 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, I am very concerned, and I have expressed my concern before and we will be addressing it tomorrow when we have the Manchester hearing. I had asked a question, who Juniata Associates—who the principles were and as you know it turned out to be Mystic Brothers. I'm delighted that Mystic Brothers are in the area and that they do a good job and I have nothing against Mystic Brothers, but I think the whole trend or the direction of this particular kind of dollars from the Federal Government was directed at giving people — for example, somebody who may have a job as a laborer, works in a steel mill, somebody who doesn't have a home, can't get a big deposit together, there are dollars available at three percent, seven and eight percent who could buy these houses at those dollars and hire Mystic Brothers or this other corporation that they own to do the work and I'm going to vote opposed to this, I may change my feelings on other things after tomorrow when I've addressed this issue, but this is not the first time I have expressed this, I read some minutes previously that were circulated by the people of the Manchester Association where they had some concerns on the board and I think we ought to deal with this.

Mr. Robinson:

Mr. President, I basically agree with Mrs. Madoff's concerns as she perceives the expenditures of federal funds. I think one of the questions that has to be answered and perhaps tomorrow it can be answered, it is, what is the relationship between the Manchester Citizens Corporation and URA, particularly in reference to pieces of legislation

that come before us for the transfer of land in the 21st Ward. The reason I indicate that is that on several occasions, it has been alluded to by members of Council that the Manchester Citizens Corporation has okayed certain purchases and certain transfers. I think we have to be very careful to accept that kind of reasoning as a reason for us to proceed and approve a sale. I think the Manchester Citizens Corporation indeed is the final word, the final organization to okay sales and transfers in Manchester, specifically the 21st Ward, then this Council should be made aware of that in some official fashion. If they are not, we also need to be aware of that, because I think there are some people who are proceeding under the assumption that the Manchester Citizens Corporation have some powers that I have been unable to discern from any kind of contractual relationship that they had. If we want to give them that kind of power then I think we ought to do that and we ought to do it in such a fashion so that in the future we will understand what their relationship is to transfer of properties within the 21st Ward.

Michelle Madoff:

Mr. President, may I comment? Tomorrow, we are going to be dealing with Manchester and perhaps the item that Mr. Robinson has expanded on, but I would like to share with Council, and particularly with the media, that at the Post Agenda Meeting on Wednesday, that meeting will address itself to the concerns that Mr. Cain of URA in the letter that he wrote to Mr. Steve George and there was a rebuttal letter from Mr. Steve George answering the HUD allegations. It seems that they have been having some and I don't want to talk about what they are going to talk about on Wednesday, but I think it is important that the media and every one of us stay for the Post Agenda Meeting, not get up and leave, which has been happening, last week I was there alone. It may have been an issue that you weren't interested in, which was the 911. The reason I mention it is that there are three hearings coming up that pertain directly or indirectly to HUD. One tomorrow which deals with the Manchester, one on Wednesday which deals with the dialogue between URA and HUD and there is a further one that is coming up. I have asked the

people from the Manchester group to come and tell us what the problems are in getting the job done. What restrictions they have that they feel tie their hands so that they have to go to the Mystic route, at least somebody is coming in and doing it and have URA here to hear them and perhaps rectify some of these problems. One of the big problems, to touch on it and I don't want to spend a lot of time on it today, is the big houses, the old big houses that they have to perhaps convert to double or maybe four unit apartments so that people can have a modern apartment out of it and be able to handle the utilities and not have to leave the area. There are restrictions on dollars, how much you can borrow if you own that house. I would like to see us get to some of this. Maybe if I miss out on some, someone would pick it up in Council like Mr. Robinson and others and let's see if at these three meetings we can really come up with something productive so that Council will be able to understand the problems and be able to deal with it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 6 Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 3921 Report of the Committee on Supplies for September 19, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3832

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one (1) ambulance and one (1) rescue truck, less trade-in, for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 **Noes** none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 3922 Report of the Committee on Parks and Recreation for September 19, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3811

A Resolution entitled, "Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the Uptown Basket-

ball League for implementing the 1979 Recreation Program and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 **Noes** none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 3923 Report of the Committee on Lands and Buildings transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3824

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh, County of Allegheny and City of Pittsburgh, for compensation due the City for cost of services rendered by the Department of Lands and Buildings in the disposition and maintenance of properties owned by the Three Taxing Bodies, and further providing for the establishment of a trust fund to be designated as "Three Taxing Bodies Services Trust Fund."

Which was read.

Michelle Madoff:

Mr. President, at the Post Agenda Meeting the other day, it was pointed out by Harold West that they are going to post the 800 houses that are, for the most part, presently, occupied not by owner or family and they will be notified that they have the right to bid but it will go by law to the highest bidder, but at least they will be made aware, and the court has the discretion to allow the person living in the house to have that house even at a lower price simply because, as I say, they have that discretion.

They are not going to move on the vacant lots simply because they say they don't have the work power, I'd like to say manpower, but I guess that is the best word at the moment, to do both jobs at once. You know I've been harping on this since I've been here in Council, that it is terribly important to get rid of the property and I think there, in line with the question you are raising, the City people having first opportunity, even though it does go to auction, the people that are in it, as long as they weren't the original owners, will have probably the best shot at getting them.

On this bill, also, is this the bill that the CETA people would be kept on? The ones who were going to be let go?

Mr. Lally:

Yes.

Michelle Madoff:

Because, if it is, I would like my comments included from Wednesday, and I particularly would like to congratulate Mr. West. I don't congratulate him very often for being innovative and for doing something meaningful with CETA people in this way.

MICHELLE MADOFF'S REMARKS FROM WEDNESDAY, SEPTEMBER 19, 1979:

Michelle Madoff:

Is Mr. West here? While you are coming up, I will ask my question to save time. This is as I understand, a new move to be able to save some of the CETA jobs, is that correct?

Mr. West:

Yes.

Michelle Madoff:

I was very surprised when I read the bill, and I am delighted to see that we are going in that direction. I think you ought to clarify it for us.

Mr. West:

As you may or may not know, the monies for the leasing of properties that are held in the name of the Three Taxing Bodies and the monies for the sale of properties from the Three Taxing Bodies are held in a Trustees Account in the Department of Lands and Buildings, and I am sorry rental monies are held in the Trustees Account, the other monies are split between the Three Taxing Bodies with expense items deducted from this; in pending CETA cut down we would have stood to lose 8 maintenance people, who maintain the presently leased properties of the Three Taxing Bodies, plus three of our administrative people in the central office if we were to lose those 11 people, as far as property sales went, you may as well say that we would be out of business because we would be left with a supervisor and two clerks; so we met with the County and the School Board and representatives of the Mayor's Office requesting permission to come before Council and ask to hire the 11 people who have to do with maintenance and the sale of the Taxing Bodies property. The County and the School Board and the Mayor's Office each recognized the problem we would have if we were to lose these people; they will be paid by the City and then reimbursed from the proceeds of the leasing and also as an expense item out of the sales of property; so a trust fund would be set up under the City and that trust fund would be reimbursed for the wages and the services by the proceeds of the sales and the rentals of the property which we are presently holding.

The Chair:

If we didn't do this, would we have lost them by September 30?

Mr. West:

I probably shouldn't tell you this, but I have requested permission of CETA through Manpower to pick up these employees for the interim period until such time that this trust fund can be established because it can't be established prior to the first of the year.

The Chair:

If nothing else was done, they would have died September 30th.

Mr. West:

That's right.

The Chair:

How long were they in the City, around doing that work?

Mr. West:

I have I think two of the people are very very early CETA people with me—

Michelle Madoff:

Five years?

Mr. West:

Yes, more than five years.

Michelle Madoff:

Thank you.

The Chair:

If it were that essential, how come we didn't put them in the budget for the last three months?

Mr. West:

It is not a City function.

The Chair:

That is not a City function.

Mr. West:

It is a function of the Three Taxing Bodies.

The Chair:

You have been handling it all along, haven't you?

Mr. West:

Out of the Three Taxing Bodies.

Michelle Madoff:

You build the other bodies, I think that is his point.

Mr. West:

It was CETA funds; because they are not City employees, there are no City employees who do this work. This is handled only by NYC, we have—if people had really had any kind of crews, during the summer months when we had the NYC program, and the maintenance of the building was practically non-existent.

The Chair:

I told you what I wanted to say.

Michelle Madoff:

I would like to pick up on that; the point here I think obviously the Three Taxing Bodies felt that, so CETA employees were cut down, you have got to keep the Buildings clean somehow you have to put it in the budget, and you have to go back to the Taxing Bodies, after five years, that should have been an item. I congratulate you on being innovative to save the jobs. I wish we could see a little more innovation so that I don't have a photographer here yesterday taking pictures of the goo that is all over this building; we can't ask the people outside to keep the place clean when our building is a pigsty; you need a knife to scrape the junk off our floors, I would like to use another word, but I won't, and it is time that we got this place cleaned up. Be innovative on that.

Also,

Bill No. 3825

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole on City property fronting on Sherwood Avenue, 20th Ward.

Which was read.

Also,

Bill No. 3826

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Mr. Robinson:

Mr. President, I would just like to make one comment, I think in looking at this particular piece of legislation, it brings to my mind at least my concern is, those properties that the City of Pittsburgh acquires or has part ownership in or responsibility to dispose of, should at some point be the subject of a very serious discussion relative to whether or not persons living in our City should not have the first opportunity to purchase those properties and to develop them. It is still my position that the people living in our City should have the first opportunity to purchase land and to develop it if it is under the control of the City of Pittsburgh. I just wanted to make those comments in reference to this particular piece of legislation.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, I would like to request that Council schedule at a convenient and appropriate time, a public hearing relative to issues raised by Mr. Kahn and Mr. Bowman of the Golden Triangle Association and the East Liberty Chamber of Commerce respectively. I have spoken with Mr. Kahn, and Mr. Bowman, Mr. DeLuca, Mr. Walker, Mr. Hurley, relative to the issue of small business persons operating in our City. Mr. DeLuca and Mr. Hurley of course are from our City Development Department. Mr. Walker is from the Keystone State Flea Market. I believe there is a clear attempt being launched to give positive perspective to this situation and to address some additional problems encountered by all small business persons in our City.

Also, I would like to request that all the legally licensed vendors, peddlers and other small business persons be informed of such a hearing.

The Chair:

Thank you Mr. Robinson it will be done.

Michelle Madoff:

Mr. President, I'd like the opportunity to report a little bit on the SALT Treaty Talks for the benefit of Council. I did Xerox a page from the New York Times for those who may not have seen it, it gives one person's perspective. I was invited by President Carter, but I was invited at the suggestion of Senator Heinz and those who were invited by Senator

Heinz were also invited to an earlier briefing and we paid for our own lunch, which was tuna fish, and we were briefed by Senator Nunn from Georgia, and the position was very much, 100% opposed, even though Senator Heinz said we are only here to give an unbiased position.

They distributed a lot of material, I brought the material back, as I did from the briefing that Brazinski and Carter had subsequently, in another building at the White House, and the material is available with Mr. Perry if anybody would like to take it home or read it, please sign out and take it, we didn't want to run Xerox copies and just generate a lot of paperwork, and then return it to Mr. Perry.

I would like to just tell you some of the high points and I'm very surprised at an item that was not picked up by the media, and maybe it was done intentionally, I don't know, because it is very frightening. In both briefings there were shades of, "On the Beach" and "Dr. Strangelove" because there were statements made like "let us take a scenario that a missile is launched from the ocean and we have twenty minutes to decide what we are going to do", or "let us take another supposition that we have only three minutes and we have to decide what we are going to do", which was a little bit frightening. The big question was, how are we going to do surveillance? That seemed to be answered, I think to most people's satisfaction, because as was pointed out by Mr. Brazinski and then later by President Carter, that if we have 220 missiles and they have 240 and they go ahead and build 20 more, essentially it won't make any difference, but if they start doing any massive expansion, there is no way on earth with our technical surveillance that we would not be able to detect it and built into SALT II they would have dollars put aside for surveillance which we didn't have in Cuba. I think that is essentially the feeling but I would like to share with you one last thing, that is my sentiments, that it didn't really make any difference whether we signed SALT II, III, IV, or VI, because the thing that was the greatest deterrent was Carter's visit to China and notwithstanding, Bob Hope being there and President Nixon, I think if Carter went back it would only reinforce to the Russians that that is a greater deterrent.

As I say, the material is available with Mr. Perry if anyone would like to borrow it and take it out.

The Chair:

I gather you are in favor of the SALT II Treaty?

Michelle Madoff:

Only for the purpose of communication — I think that if we don't sign and the communications break down we have a problem, but President Carter did a complete about face which I think is going to help satisfy the other side, he did a 180 turn around and said regardless of whether we sign SALT II, we are going to commit ourselves to an extensive program of armament and defense armament. He also said that there would be no signing of the SALT II unless the situation in Cuba was resolved, he understood that that would not happen

The Chair:

I am personally in favor of it myself, but at the same time, the feeling, as far as I'm concerned, it is the only thing we have. I think we could have had a stronger agreement.

Michelle Madoff:

I think we all agree with that.

The Chair:

In fact, I have noticed that several City Councils are on record as passing resolutions backing SALT Treaty II, so if somebody here in Council at the next meeting wants to pass one—

Michelle Madoff:

Well, I think it would be inappropriate to do it too quickly because even President Carter is saying that he is not going to go ahead until Cuba is resolved and that seems to be pending.

The Chair:

They're not even going to vote on it until November.

Mr. Givens:

Mr. President on the grounds that it might incriminate me.

Michelle Madoff:

The other matter that I would like to bring to Council's attention, with reference to the fact that, for those of you who may not have been at the Mayor's meeting this morning, I've asked that we be apprised daily of the number of trucks in the Refuse Department that are in the garage, I think it was 53 today — the reason I want to do it daily rather than weekly is that you can have 53 on a Friday and maybe on a Monday, but by Tuesday you can have 86 back again, which will give us some feeling before the budget comes up.

I provided Council with a breakdown of the over 500 payments, the under 500 — I think the President of Council has a copy — dollars that will be involved or have been involved in claims, which as you know, we are the insuree, we insure the City if we don't have an agency. I want to point out that as far as I can observe, and someone can correct me, I don't see as yet, the \$550,000 payment which is due sometime in October part of that — \$1.1 Million for the settlement of the gentleman who was hostage, who is paralyzed. As yet, the \$35,000 for the Port Authority bus accident has not come through. I don't see the \$50,000 pothole claim or the \$50,000 claim for the reinstatement of somebody who lost his job under Flaherty and maybe it is perfectly justified that he comes back, I'm not dealing with the issue, I'm dealing with the dollars. If you add that figure — unless my arithmetic, which is not the greatest, is incorrect — we come to something like \$763,000 for this year. Of course we do have those unusually large claims, but if you go back and look, without those large claims we are already since '76, '77, '78 and only the first two quarters of '79, we have a total of, with both small and large claims, of \$362,000. It may not be enough to replace a fleet, but we might be able to buy a couple of good trucks and this gets back to what are we going to do about training people before they take a truck out. I know they are pressed down at the garage to get the trucks out and get the garbage picked up, but somewhere, somehow, you can't give somebody a \$60,000

piece of equipment and say go drive it. When you get holes burnt right through the front seat on the leather with a coffee maker — if they don't know that. I don't blame the men either, I think it's a matter of, you know, if you don't know, you don't know, somebody has to teach you and I'm sure they are anxious to learn.

I just think these figures are important and obviously if we go to the \$763,000 as I see it now, and we still have, even today's bills that were introduced on claims and they are probably very substantial, at least \$1,000 apiece in many of them, we are going to be close to a million dollars by the end of this year. That really affects our next year's budget.

The Chair:

Mike, up to now, have we been getting a daily report on those trucks that are down?

Mr. Perry:

It started today.

Michelle Madoff:

We already got it today, it was 53 is that right Mike?

Mr. Perry:

It was 51.

Michelle Madoff:

Okay, 51, sorry about that, but as I say, we are putting together with spit and paste, my own personal belief is that we don't have enough mechanics at the garage, I've had notes from people unsigned saying my panel truck has been there seven months. I talked to people, Department Heads who have cars who can't get the car just preventively serviced, there is just nobody to do it. And of course, the argument was we didn't have the space and we didn't have the facilities and we all agreed that we would give Mr. Yatch, who I think is doing a noble job, really trying hard, the opportunity to straighten out the mess by shifting schedules. And I say, maybe the big problem is that we are having an expedited court session and we are having these larger claims, but even at the end of

the year when we take some of this off and we take a look at the kind of dollars and claims and remember we are not paying now for this year, we are paying now, some of the claims go back to '63, '73, I have one here I think it is from '63. We don't get a really true figure of what we are creating this year for the future and the only way to solve that problem is to solve the problem, to completely take hold of the garage, do something about adequate mechanics, I think that the comments made by Mr. Givens previously where he did a study on the Yellow Cab garage and the number of mechanics that they have and they certainly are in operation all the time, it's a valid one, we don't have as many mechanics to do a whole fleet as they have for Yellow Cab. I spoke to Pete Flaherty the other day, and he pointed out that in the early part of his Administration, he felt, until he says he got chopped down by Council, I don't know if it's true or not, I'm repeating, and I was supposed to get some figures from Ken Fields, was that the police cars should be replaced every year. It looks to me like we are talking about a next year's budget of \$30 Million to replace garbage trucks, police cars, vehicles, the fleet is aging, they told us that the dollar figure to replace the fleet was somewhere between \$50 and \$80 Million, perhaps I am exaggerating but if we take the arbitrary number of \$30 Million, it can't go out on Capital Bonds because it is illegal, because of the life span of the vehicles. You could go out on three year bonds at \$10 Million plus interest over three years, I think that is a realistic figure that we'd better start dealing with for next year's budget. I think this is a very appropriate time to touch on it, to get us thinking.

The Chair:

\$30 Million dollars just to replace the trucks in Environmental Services?

Michelle Madoff:

I'm talking about City vehicles. I don't know that to be the number, but I have a feeling from everything we've heard that I'm probably not far off. Do you have any feelings on that Mr. Coyne?

Mr. Coyne:

Well, I think if someone took a look at the list in the years of the trucks in the Refuse Department, they are not all that old.

Michelle Madoff:

But they have been butchered, you would agree with that?

Mr. Coyne:

Well, that is a judgment call — I've asked for this list before, I just haven't been able to get ahold of it, I'd like to take a look at it.

Michelle Madoff:

We got it. I think there is a note on our desks that that list was supplied to Councilman Robinson and if any of us wanted copies to ask him for it, there was a note on my desk to that effect.

The Chair:

You know the amount of trucks they take in every day, it strikes me that some people are just turning them in because they have nothing else to do. As Bill said, they are not that old, those trucks, all of a sudden they are breaking down and really it came about in the last two or three weeks when Council brought it to the floor and it seems to me that they take those trucks in for almost anything. I've talked to some mechanics down there and some of them said they brought them in and there was not reason to bring it in. I would say the majority of them have to be brought in, there is a reason for breakdowns and what have you, I'm just wondering if some of those drivers aren't a little —

Michelle Madoff:

I don't know, I don't think that is quite fair, because I think if you look at the accidents, the hydraulics fail in cold weather, a lot of it is lack of training.

The Chair:

It's my way of looking at it, that when a truck breaks down, you have to have it towed

in, that to me is a breakdown, something minor you can take in and probably have fixed overnight. If that truck can run, it can move well, you know —

Michelle Madoff:

As long as it's inspected.

The Chair:

Certainly if it is inspected. Mr. Givens said that as bad as we need those trucks even if they are not inspected send them out.

Michelle Madoff:

I think you make a good point, I was down at the garage myself and looked at a lot of those trucks and I saw trucks that were still operating, vans that transport people back and forth that were held together with rope, the doors were broken. Perhaps the answer is not in new fleet, I don't know the answer, but it appears that we better damn well look at it, excuse me, before budget time, and if the monies aren't to be spent on the vehicles but on mechanics, then that's what we have to do. Maybe we ought to have a hearing and not go through supplies but go through having some of the mechanics in here and tell us what are their problems.

The Chair:

Well, I think most of those changes are forthcoming with the next budget, we have no choice right now, we just have to wait until then, and then if we don't correct the measures, shame on us, it's in our hands now.

Mr. Givens:

I'd just like to make one comment on the settlement of claims, where you get \$362,000 for three years. If I take my vehicle and most of these are vehicle claims, that I pay over \$1,000 for two vehicles that I have, with a couple of the children buying them, and I often wondered why the City wouldn't go into an insurance type of thing. But, you can imagine, how much coverage could we get for \$362,000 if the average person is paying over \$1,000 in repairs.

The Chair:

No one will sell the City the insurance.

Michelle Madoff:

Not only that — I don't think I am suggesting that.

Mr. Givens:

My point is, I think the City is still justifiable and right in being self-insured rather than going into some type of an insurance company because the total amounts still do not justify —

The Chair:

The premium itself would be prohibitive.

Michelle Madoff:

Of course you know this figure, I'm sure, doesn't include the fact that we have to pay money to fix our own trucks. Our part of the accident isn't in this figure, that is only the claim and I think this is the tip of the iceberg.

Mr. Givens:

I have one very serious note here in regards to the Great Race that will start in Frick Park and Beechwood Boulevard near the Nature Center and end in the Point State Park, starting at 9:00 on the 30th. We can run a half a block "Jeep" and then fall out, you know?

The Chair:

I get all my exercise shaving.

Mr. Givens:

I'd like to make a note to our historian to so look at the paper, Friday's newspaper and you will see one individual Commissioner that is going to pass out political tee shirts at this particular race. If you could so inform him by letter that this is not lawful to do political advertisement inside of a park. I think, as an attorney, he should know that, but if he doesn't, I would caution him and I would also like the Chief Clerk —

The Chair:

You mean Madoff is going to give tee shirts out at the Great Race?

Mr. Givens:

I didn't say Madoff, I said a Commissioner.

Michelle Madoff:

Madoff doesn't have any money to pass out anything.

The Chair:

I thought he said some politician.

Michelle Madoff:

Madoff may pass out if she runs.

Mr. Givens:

And I so asked the Chief Clerk if he would write a letter to the Superintendent of Police so alerting him to the fact that there could be political advertisement in our City and State parks during this Great Race.

I don't want to see any political aspirant wanting to use something that is funded by the City of Pittsburgh, and in this case also a major department store downtown, but using this as a springboard for political advertisement — it is not the intent of it and I would hope that no politician would use this in such a manner but one is doing so and I just caution that individual from doing so because he would be in violation of City ordinances.

Michelle Madoff:

Mr. DePasquale, I don't know whether Mr. Givens is correct in his legal assumption, I don't even know who the Commissioner is, but the point is that I have a tee shirt that I wear with my jeans and it says, "Women belong in the house, the Senate and City Council too, vote for Madoff" — the only tee shirt I own practically, and I might wear it. I'm not running, but I think if Mr. Givens wants to address himself to a serious problem, get rid of the litter and get your signs down from the last election.

Mr. Givens:

They have all been down.

Michelle Madoff:

They are not down, I'll take you and show you where they are up.

Mr. Givens:

Some people put them back up again.

Michelle Madoff:

And I want to tell you, they are faded and dirty and they add to the litter and the unsightliness of the City

The Chair:

Your reference Michelle, to women's lib reminds me of something, last night I watched a show, like probably most people, the "S.O.S. Titanic" and behold a thought crossed my mind as the ship was going down and they said women and children first. In this day and age, are we to say everyone for themselves? I mean the women don't want to go ahead of the men today. What do we say, men first?

Michelle Madoff:

Mr. DePasquale, I am very proud to be a woman, I do not want to be a man, the only thing I believe in is —

The Chair:

What choice would you take? The lifeboat for you or your husband?

Mr. Lally:

She's going down Mr. President.

Michelle Madoff:

I am a feminist and I believe in equal rights for everybody, particularly women.

Mr. Lally moved to excuse Mr. Bulls and Mr. Stone for absence from this meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the minutes of Monday, September 17, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Coyne

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, October 1, 1979

No. 39

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE De PASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, October 1, 1979

PRESENT:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

ABSENT:

Michelle Madoff
Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Before we dispense with the regular business, I would like to mention that we have a distinguished guest in our audience today, Mr. Thomas Fagan, a former City

Councilman and retired President of Local #249. We have a resolution to present to Mr. Fagan, we will begin with the resolution.

Mr. Robinson presented:

No. 3970 Whereas, man has been endowed by his Creator to be steward of the world in which we live; and

Whereas, the right to use the goods of the earth must be tempered with responsibility, and inhabitants of this blessed land are reminded that we should combine understanding, vision, determination, and positive action in serving the needs of mankind; and

Whereas, it has become prudent for human beings, in the process of maintaining warmth both for comfort and survival, to conserve all major sources of energy in our times; and

Whereas, the International Energy Agency, Paris, France, has designated October, 1979, for worldwide observance of Energy Conservation; and

Whereas, Project Pacesetter, an energy conservation and education project representing hundreds of citizens who serve on Energy Task Forces, and the Allegheny County Energy Division, coordinating city and county-wide energy related activities involving thousands of our citizens throughout the City highlighted by an Energy Saver Show at the Civic Arena, and a series of lectures entitled, "Future Power"; and

Whereas, the primary objectives of this month long effort are to raise public awareness and understanding of energy issues, problems, and possible solutions, and

to encourage widespread practice of conservation and

Whereas, it behooves clubs, businesses, unions, churches, schools, governmental agencies, public interest, and professional societies, youth and volunteer groups to participate in this project by planning and carrying out some energy related activity or program.

Now, therefore, be it resolved that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of this City, does hereby commend the members of Project Pacesetter and the Allegheny County Energy Division, and those who will participate in energy awareness and conservation activities, the Energy Saver Show at the Civic Arena, October 26-28, and the "Future Power" lecture series to be held this fall; and

Be it further resolved that we proclaim the month of October as Energy Conservation Month 1979, a time we envision as a community wide effort to encourage thoughts and ideas to conserve energy now and for future generations on God's Good Earth — and ours.

Mr. Robinson moved for adoption.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, I do have a gold seal resolution which I would like to present to Mr. Fagan.

The Chair:

I wonder if you would come up and present it?

Mr. Robinson:

Yes, Mr. Fagan may have a few words for us.

Mr. Fagan:

Thank you Mr. President, I won't take

much of your time, but it is always a pleasure to come back to City Council where I spent many fine years wrestling with the same problems you have today and it was always enjoyable. I had the finest colleagues possible and I enjoyed every minute of it.

I would like to say that since my semi-retirement, I've involved myself in the question of energy, recognizing that it is one of the most important subject matters that confronts all of us today. It isn't only waiting at the pumps for gas, or odd and even days, it goes much further than that. The very existence of our economy, especially in industrialized Western Pennsylvania, Pittsburgh and Allegheny County, it is very important that we have a resolve by all levels and sub-divisions, politically, the support of our question of energy. I'm sure that we do here and it is a real pleasure to be here on behalf of Americans for Energy Independence, which is part of Project Pacesetter, on behalf of all these committees who work hard, we want to thank City Council, who has always responded to its responsibilities, particularly in this case where it could be a national emergency and I'm sure that we can always call on the President and all the members of Council and the Mayor of the City of Pittsburgh to be helpful.

I was glad to be able to come here for two reasons, one to accept the resolution, and to once again renew my friendship with all the members of City Council and to thank you for the many efforts that you have put forth, not only from the standpoint of the question of the energy crisis, but every problem that confronts our community. In my opinion, you have done a wonderful and outstanding job and sometimes you don't always get the credit that you rightfully deserve. I assure you that as far as I'm concerned, I appreciate it and all the members of our Committee in Energy.

Hopefully, during this month of October, we have many events planned, we have, starting this evening out at the University of Pittsburgh and the David L. Lawrence Auditorium, we start meetings there which will continue for the entire month. The University of Pittsburgh has cooperated 100%, Allegheny County — we've been getting all kinds of cooperation. Also, at the

Civic Arena, you will be notified of the dates we have there, where we try to propose energy saving devices and with the help of City Council which you have given us, I'm sure we will be successful.

Thank you again, it is enjoyable being here, and I'll look forward to returning in the future.

The Chair:

I just want to say that Council has come a complete full circle since Tom resigned for other duties back in 1972 if I recall correctly, and I had the privilege and honor of being the only present member of Council who served with Mr. Fagan. I wish you all could have enjoyed that privilege because it certainly was a treat to work with him. Thank you Tom.

I would also like to say that myself and the other members of Council wish all of those of the Jewish faith a happy Yom Kippur.

PRESENTATIONS

Mr. Bulls presented

No. 3924 Resolution providing for an agreement or agreements with the United Black Front for the renovation of the interior and exterior of the existing facility located at 2161 Wylie Avenue, 5th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Bulls moved to suspend Rule 8 by providing for the consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 3925 Resolution providing for the

issuance of a warrant in favor of Graybar Electric Company, Inc., 900 Ridge Avenue, Pittsburgh, Pennsylvania 15212, in the amount of \$2,319.30 in payment for electrical equipment furnished for the benefit of the City in connection with the City-County Information and Identification System Project; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3926 Communication from Thomas J. Kennelly, Chief, Department of Fire, requesting permission for Captain Jack Faulkner, Department of Fire, to attend National Fire Academy's Arson Detection Course, Rockville, Maryland, November 14-16, 1979, at cost not to exceed \$350.00, payable from Code Account 1463-1, Educational and Traveling Expenses.

Also

No. 3927 Communication from Thomas J. Kennelly, Chief, Department of Fire, requesting permission for Captain Joseph Somma, to attend National Fire Academy's Fire/Arson Course, Rockville, Maryland, November 5-16, 1979, at cost not to exceed \$1,650.00, payable from Code Account 1463-1, Educational and Traveling Expenses.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3928 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting interim approval of payment of \$7,646.16 for extra work in connection with resurfacing of Fifth Avenue from Bellefield to South Highland, Controller's Contract No. 22697.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced

so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Lally:

We had a complaint here about two or three years ago about the manhole at the corner of Bellefield and Fifth. the job had just been completed by J-Jac who did a terrific job on it. It seems for some unknown reason that they had to go in there that night and tie in the gas lines, now the hole is in the same condition today as it was two years ago, there is a big plate over the existing hole there now and it is in bad condition again. This is in regard to that same bill.

Mr. Coyne:

We can ask Mr. Gaetano when he comes up on Wednesday about that problem.

Mr. Lally:

Thank you.

Also

No. 3929 Resolution amending Resolution No. 256, approved April 3, 1979, entitled: Authorizing the issuance of a warrant in favor of J-Jac Construction Company, in the amount of \$11,850.00 in payment for extra work furnished for the benefit of the City in connection with Reconstruction of Forbes Avenue; and providing for the payment of costs thereof.

Which was read and referred to the Committee on Finance.

Also

No. 3930 Resolution granting unto the Western Pennsylvania Hospital, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, two pedestrian bridges over South Millvale Avenue in the 8th Ward of the City of Pittsburgh.

Also

No. 3931 An Ordinance Supplementing the Pittsburgh Code, Title Four — Public Places and Property, Article One, Streets and Sidewalks, Chapter 413, Construction and Repair, Section 413.02 Sidewalk and Curb Bond and Permit Required — Work Approval, by adding a new subsection 413.02 (a) (1).

Also

No. 3932 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting interim approval of payment of \$13,646.84 to Baltimore & Ohio Railroad Company as City's share in reconstruction of Baum Blvd. Bridge as ordered by Pennsylvania Public Utility Commission at Investigation Docket No. 152.

Also

No. 3933 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$19,362.60 to Pennsylvania Department of Transportation as City's share of rehabilitation of LR02260 (Fortieth St. Bridge) Commission at Docket No. 18810.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3934 Resolution authorizing the transfer of \$4,230.00 from Code Account No. 1375, Salaries and Wages Regular and Temporary Employees to Code Account No. 1376, Miscellaneous Services.

Which was read and referred to the Committee on Finance.

Also

No. 3935 Resolution providing for an agreement or agreements with Temple University, "Department of Recreational and Leisure Studies," Philadelphia, Pennsylvania, for the purpose of conducting a "Study of Indoor Recreation Centers in the City of Pittsburgh."

Also

No. 3936 Resolution providing for an agreement or agreements with the Southwestern Pennsylvania Regional Planning Commission for payment to the City in connection with work performed to carry-out the 1979-80 Annual Housing and Urban Development 701 Work Program.

Also

No. 3937 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into a contract or contracts with Penn State University to provide training services for the staff of the Bureau of Building Inspection and providing for the payment of the cost thereof.

Also

No. 3938 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and the Port Authority of Allegheny County for the sale of Part of Block 125S Lot 115 in the 12th Ward of the City of Pittsburgh.

Also

No. 3939 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an application with the Commonwealth of Pennsylvania, Department of Community Affairs for the Blight Prevention Program '80-'81.

Also

No. 3940 Resolution authorizing the Mayor to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to act as the Fiscal Agent of the Blight Prevention Program '80-'81, and providing for Code Enforcement and demolition services by the City of Pittsburgh.

Also

No. 3941 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "R4"

Multiple-Family Residence District to "I-M" Institutional-Medical District certain property bounded by: North Avenue East; Sandusky Street; McKirdy Way; Porterfield Street; Fountain Street and James Street; 22nd and 25th Wards.

Also

No. 3942 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning by providing a Conditional Use Exception for a limited type of financial institution in the "I-M" Institutional-Medical District and by amending the present Conditional Use Exception for pharmacy in the "I-M" Institutional-Medical District.

Also

No. 3943 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Reginald B. Young, to attend Community Development Seminar, Washington, D.C. Oct. 22-23, 1979, at cost not to exceed \$525.00, payable from Community Development Program Administration Code Account CDPA.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 3944 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$5,798.48, in payment for renovations to public restrooms at the Homewood Branch, without previous authority of law and providing for the payment thereof.

Also

No. 3945 Resolution transferring the total amount of \$11,500.00 from Code Account 1368, Salaries and Wages, Regular Employees to Code Account 1360-1, Premium Pay and Code Account 1362, Supplies, Department of Lands and Buildings.

Which were read and referred to the Committee on Finance.

Also

No. 3946 Resolution authorizing the sale of property in the 14th Ward of the City of Pittsburgh, located adjacent to ramp "A" of the Parkway near Saline Street, being Part of Block 54-H, Lot 66, to the Pennsylvania Department of Transportation for the sum of \$1.00.

Which was read and referred to the Committee on Lands and Buildings.

Mr Lally for Michelle Madoff presented

No. 3947 Resolution providing for the issuance of a warrant in favor of Highway Equipment Company, P. O. Box 15038, Pittsburgh, Pennsylvania 15237, in the amount of \$4,583.73 in payment for the repair of a back-hoe loader furnished for the benefit of the City and providing for the payment thereof.

Also

No. 3948 Resolution providing for the issuance of a warrant in favor of Pacific Scientific, Department 3-9227, Los Angeles, California 90088 in the amount of \$629.23 in payment for repairs of a HIAC particle counter furnished for the benefit of the City and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Mr. Robinson for Mrs. Masloff presented

No. 3949 Resolution authorizing the issuance of a warrant in favor of S.A. Dukes Company in the amount of \$340.00 in payment for Drinking Fountain used at West End Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 3950 Resolution authorizing the issuance of a warrant in favor of Bunting Stamp Company in the amount of \$1,288.19 in payment for Metal Identification Tags used for Swimming Pool Division, furnished for the benefit of the City without previous

authority of law; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 3951 Resolution providing for an agreement or agreements for professional services and for leasing with Avalanche, Inc. for the implementation of a cross-country ski program during Winter 1979-80 in the City of Pittsburgh.

Also

No. 3952 Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof.

Also

No. 3953 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,800.00 for extra work in connection with Broadhead-Fording Pool and Parl Project No. P-2441.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 3954 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,093.95 in payment for emergency purchase of fuel oil, and for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 3955 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 15 portable frequency modulated radio equipment for the Pittsburgh Fire Department, and for the payment thereof.

Which was read and referred to the Committee on Supplies

Mr. Stone presented

No. 3956 Resolution transferring the aggregate sum of \$18,000.00 within Code Accounts of the Department of Law.

Also

No. 3957 Resolution authorizing additional work under Agreement 23729 with Ernst and Ernst for audit of the Local Public Works Grants.

Also

No. 3958 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for five staff members listed therein, to attend Counselor In-Service Session, Little Rock, Arkansas, October 17-19, 1979, at cost not to exceed \$2,000.00, payable from CETA, T3, Trust Fund.

Also

No. 3959 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting amendment of Council Bill 3870 authorizing attendance of certain individuals at Management Information Systems Conference in Washington, D.C., October 3-4, 1979, by substituting William Flynn for Carl Rectenwald and by increasing total amount from \$750.00 to \$850.00, payable from CETA EOPP Trust Fund.

Also

No. 3960 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting permission for Thomas D. MacMullan, to attend annual In-

stitute on Labor Law, Dallas, TX, Oct. 17-18, 1979, at cost not to exceed \$617.00, payable from Equal Employment Opportunity Commission—706 Trust Fund.

Also

No. 3961 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting permission for Helen Robinson, to attend U.S. Office of Personal Management course on Labor Relations, for Supervisors and Managers, Pittsburgh, PA, Dec. 5-7, 1979, at cost not to exceed \$130.00, payable from Code Account 1034, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 3962 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Grogan, Graffam, McGinley & Solomon, Attorneys at Law, in the amount of \$320.00, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 3963 Report of the Committee on Finance for September 26, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3851

A Resolution entitled, "Resolution amending Resolution No. 720, approved August 15, effective August 20, 1979, entitled 'Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$1,241.40, in payment for repairs to the refrigeration system at the

North Side Public Safety Building and providing for the payment thereof', by changing the source of funds."

Which was read.

Also,

Bill No. 3864

A Resolution entitled, "Resolution providing for the issuance of a warrant to Lawrence Segers in the amount of \$1,759.25 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And there being two thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3865

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account 1016, Salaries, Regular Employees, Mayor's Office, to Code Account 1017, Miscellaneous Services, Mayor's Office".

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The Ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3866

A Resolution entitled "Resolution providing for an Agreement or Agreements for consulting services in connection with pursuing public works projects, developing other Pennsylvania state aid programs and monitoring Pennsylvania state legislation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 5 Noes 2

(MR. COYNE AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3867

A Resolution entitled, "Resolution transferring \$500 from Code Account 10, Accounts Payable Prior Years to Code Account 1035, Miscellaneous Services, Commission on Human Relations."

Which was read.

Also,

Bill No. 3868

A Resolution entitled, "Resolution repealing Resolution No. 679, approved August 16, 1976, effective September 1, 1976, 'Providing for an agreement or agreements for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3904

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$4,737.76 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 3905

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$3,550.46 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And there being two thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 3964 Report of the Committee on Public Works for September 26, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 3844

A Resolution entitled "Resolution providing for an Agreement or Agreements with a Professional Engineering Firm for engineering inspection services in conjunction with bridge construction; and providing for the payment of cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. Depasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 3965

Report of the Committee on Planning, Housing and Development for September 26, 1979. transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3846

A Resolution entitled, "Resolution amending Resolution No. 376 or 1977 providing for a

Supplemental Agreement with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project, increasing the amount from \$20,000.00 to a sum not to exceed \$34,711.96; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3847

A Resolution entitled, "Resolution approving Modification No. 7 (dated September, 1979) to the Redevelopment Area Plan for Redevelopment Area No. 24, Chartiers Valley Project."

Which was read.

Also,

Bill No. 3848

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jacqueline Lucas for the sale of Parcel 46c in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 3966 Report of the Committee on Supplies for September 26, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3863

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of one (1) automatic floor scrubbing machine for the Department of Parks and Recreation, and for the payment thereof."

Which was read

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 3967 Report of the Committee on Water for September 26, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3855

A Resolution entitled, "Resolution providing for a contract or contracts for water line relays in conjunction with the Reconstruction of the Herron Avenue Bridge South approach and Ruthven Street and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Mrs. Masloff presented

No. 3968 Report of the Committee on Parks and Recreation for September 26, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3857

A Resolution entitled, "Resolution providing for a contract or contracts for a Tree Planting Program at various locations within the

City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3858

A Resolution entitled, "Resolution providing for a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 3969 Report of the Committee on Lands and Buildings for September 26, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3852

A Resolution entitled, "Resolution amending

Resolution No. 474, approved May 24, 1979, effective May 29, 1979, entitled, 'Resolution providing for an Architectural and/or Engineering Agreement or Agreements and a Contract or Contracts in connection with construction at Buhl Planetarium and providing for the payment of the cost thereof', by providing for a Cooperation Agreement or Agreements with Buhl Planetarium, a non-profit corporation, in connection with the removal of architectural barriers."

Which was read.

Also,

Bill No. 3853

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 310, approved April 6, 1979 effective April 11, 1979, entitled, 'Resolution authorizing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City to lease to the Jones and Laughlin Steel Corporation, for a term of ten years, certain property of the City located on South Water Street, upon certain terms and conditions' by reducing quarterly installments from \$1,508.00 to \$1,258.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

No. 3971 WHEREAS, the City of Pittsburgh has embarked on a Major Housing Development Program designed to improve the General Housing stock within the City of Pittsburgh; and

WHEREAS, the City has developed the Department of Housing and funded this Department extensively with Federal, State, and City monies; and

WHEREAS, major efforts, through this Department, have been initiated to promote and develop the neighborhoods of our city; and

WHEREAS, this Council has approved financial support for both the Neighborhoods for Living Centers, through Action Housing, Incorporated, and Housing Opportunities, Incorporated to assist in the Development of various City neighborhoods, and to assist those persons interested and economically capable of purchasing property in the City of Pittsburgh; and

WHEREAS, this Council passed Resolution 1548 on December 29, 1978 relative to the development of housing in our City and the City's Housing Department, in cooperation and consultation with the Urban Redevelopment Authority and Community Representatives, did begin a process to address the concerns of neighborhood residents that they be more aggressively and positively assisted in developing their communities as well as remaining in those communities; and

WHEREAS, this Council has encouraged and recommended that all "Great House Sales" and similar programs be developed with a specific administrative component geared towards providing residents of the specific areas affected with the first opportunity to purchase available housing; and

WHEREAS, this Council wishes its housing programs and the sale of housing in our City to be consistent with the concept of neighborhood residents being supported and assisted in their efforts to remain in their neighborhoods.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh on behalf of the citizens of this City requests that the Housing Department of the City of Pittsburgh, the Urban Redevelopment Authority of the City of Pittsburgh, along with citizen input, develops a written administrative process to provide for the transfer of property under their jurisdiction in a fashion that will provide for and support persons, and/or organizations wishing to remain in their communities or neighborhoods.

Mr. Robinson moved for approval.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, in line with this particular resolution, I think it is very becoming that we have a post agenda meeting this coming Wednesday on many citizens who have been getting in contact with me in the last week or two and maybe we'll try to get to the base of it. What is happening is that the City of Pittsburgh has acquired many properties through tax liens on these properties. Some of these properties people are living in them, the rent is being collected by the City of Pittsburgh and now those homes have come for sale and the residents who are living in them are now having to move and apparently there has been a great flurry of this within the last week or two from the number of telephone calls that I have received, so I would request as a post agenda item this coming Wednesday, that the City Treasurer, David Donahoe and the Director of the Department of Lands and Buildings, Harold West, come up and tell us what is going on.

My concern is that these people are to be, in some cases, evicted, from their homes that they have been living in for many, many years and there is no relocation assistance, there is nothing for these people, most of them are on or at the poverty level and I have deep concern in that particular area.

Also, I have received several phone calls and agitation from the people of the West

End who are very disturbed about the fire house that this City Council has advocated for many, many years, it was put in several of our budgets, but at least last year, it was put in there with the intention of going out and purchasing the land in the West End, primarily around Noblestown Road, to erect a fire house. \$50,000 was for land and \$500,000 to build the station, echoing my other Councilmembers about inflation, etc., it was told to the people in the West End Elliot and the West End area of the City of Pittsburgh that this fire house now will be delayed until 1981. I would like someone from the Mayor's Office, someone from the Fire Department and someone from City Planning to come up here this Wednesday on a post agenda item to explain to this Council what is happening in this particular area.

Furthermore Mr. President, I have a letter which I received from Markus, Reithmuller & Smith indicating regarding garbage near the Market House and some of the problems that they were having in trying to get fire insurance, I'm sure all of the Council Members might have received this particular letter, at least I did, distributed by I think, the City Clerk. I would like a letter to go to our Refuse Department, Environmental Services, as to the response to this particular letter and an answer back to this Council.

The Chair:

Mr. Givens in regard to the fire house, I echo your sentiments, if you recall, there was an editorial in the Post Gazette the other day which made some rather valid points as to why, maybe we shouldn't put the fire house up. I go on record as saying --

Mr. Stone:

That was about a different fire house.

The Chair:

What is a different one?

Mr. Stone:

We're talking about the one in the West End.

Mr. Givens:

This is the one in West End -- now, I was at the one -- the Chestnut Street fire house too, I looked at that particular site and I was actually astounded. I have worked with the Department of Public Works, through Building Inspection because the particular area is under site improvement but it was through the demolition contract, and they had a fall of some 35 to 40 feet along the sidewalk for quite a length, almost a half a block to a block area with no barricade, nothing. The children, I assume, walking by, if a vehicle went off they had a 35 foot drop off and the intersection that came right up to that road, if anyone didn't realize that there was nothing out in front of them in some late evening hour, I could see them just going completely right off, right through the intersection and off a nice 35 to 40 foot abutment. I would hope that something has been erected by this time. But, looking at that site physically after it has been demolished, there are some problems in that particular area.

On one other subject, Mr. President, I'm sure all of us have read today in the newspaper that the Cable Communication proposals for bids have been delivered to the City and they are quite in volume documents. It concerns me very deeply, we have a very minimal staff up there and our own Cable Television Committee, I feel very strong and I would like to wait until our Chairperson, Sophie Masloff gets back to discuss it with her, but I feel that this Council -- it is incumbent upon this Council to get some type of consultation, consultants, to have them go through the technical maze of documents that have been presented to them. And I think it is incumbent upon this Council to get whatever money is necessary to see that they have the best expertise at their command in order to truly evaluate these proposals for Cable Communication. Much of what is to be done in the Cable Communication is not what they are going to give us but how they technically put that into the language that they have and only those people who work in that particular field have a great feeling for what I am saying.

The Chair:

If you noticed, I smiled, I happened to be

in here today when they opened the bids or the proposals and each of the four companies that submitted bids had truckloads, volumes of materials, now obviously, if you are going to try to read all that it is going to take from now till 20 Christmases from now, so I don't care how much help you give them, there is no way in the world they go through all that stuff and make an evaluation. Now where they are going to cut stuff out and where they aren't, I don't know, but obviously I think a synopsis of the proposal would be the most logical. Why they brought volumes and volumes in, I don't know, because obviously nobody can take the time to read all of that.

Mr. Robinson:

Mr. President, they were required to submit, I believe, 26 copies, each developer was, that is why it appeared to be so many. But it is several inches thick, each individual proposal.

The Chair:

A whole truckload?

Mr. Robinson:

Right, they were supposed to provide 26 copies, but I think some took it upon themselves to make copies available for everyone.

The Chair:

One company brought in a whole truckload, it took them two hours to empty the truck.

Mr. Givens:

There's nothing wrong with that.

Mr. Lally:

You have to read it all.

The Chair:

I'm just saying, I don't care how much help you have, you're never going to look at all that stuff.

Mr. Givens:

My concern, if and when this Council would come forth with a consultant, I think the four companies who had put in their proposal, be contacted, because I think that consultant would have to be one, should be mutually agreed to by the four companies who put it in, I think there are worthy people out there in the industry who have a great reputation, and would help this Council, as well as our Council Committee on Cable Communication to filter through all the technical data they have and really advise us in their rights as to what the best proposal is. in plain language.

The Chair:

I don't envy that Committee's responsibilities, if I recall, the Committee is going to have the right to make selections or recommendations. The Mayor has to make a selection to submit to Council, but those who have positions, who are on that Committee, I think they are going to have to take a leave of absence from their jobs to read all this stuff, its going to take that long.

Mr. Coyne:

Mr. President, several years ago, we on Council passed a resolution directing the Administration to file a petition with the Public Utility Commission for the acquisition of the in-City portion of Western Pennsylvania Water. That hearing was to be held during August and I would like to have the City Clerk direct a letter to Marvin Fine who is the Utility's Counsel asking what the disposition of that hearing in August was, if it was held.

The Chair:

The Clerk is so ordered.

Mr. Stone moved to excuse Michelle Madoff and Sophie Masloff for absence from this meeting.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the

minutes of Monday, September 24, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I move to adjourn this

meeting and meet again on Tuesday, October 9, 1979 at 2:00 P.M.

Mr. Lally seconded the motion.

Which motion prevailed.

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Tuesday, October 9, 1979

No. 40

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.

Tuesday, October 9, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 3972 Resolution providing for an Agreement or Agreements with Allegheny County for training of thirty six (36) City Police Recruits; and providing for the payment of the cost thereof. Cost not to ex-

ceed \$36,000.00, payable from Police Recruit Training Trust Fund.

Also

No. 3973 Resolution providing for an Agreement or Agreements with Allegheny County for training of thirty nine (39) City Police Recruits; and providing for the payment of the cost thereof. Cost not to exceed \$39,000.00, payable from Police Recruit Training Trust Fund.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 3974 Resolution providing for the issuance of a warrant in favor of Levinson Steel Company, in the amount of \$6,353.34, for purchase of materials for emergency steel repairs for Hillview Street sidewalk at intersection of Routes 51 and 88, payable from PW 78-14, Emergency Repairs to Bridges, Department of Public Works.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3975 Resolution further amending

Resolution 780 of 1979 providing for contracts for East Liberty Study Implementation by redesignating funding sources.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Bulls seconded the motion.

Which motion prevailed.

Also

No. 3976 Resolution providing for contracts for reconstruction of Robert McAfee Bridge at cost not to exceed \$2,400,000.00, payable from Code Account PW 79-14; and providing for reimbursement Agreement with Commonwealth of Pennsylvania.

Also

No. 3977 Resolution granting unto Parkvale Savings Association at 3530 Forbes Avenue, the privilege and license to construct at its own cost a wheelchair handicapped ramp on portion of sidewalk of Meyran Avenue, 4th Ward.

Also

No. 3978 Resolution fixing width and position of roadway and sidewalks and re-establishing grade of Alcor Street, 22nd Ward.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 3979 An ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, by adding Chapter 266, Exemptions for Industrial and Commercial Improvements and Construction by providing for temporary exemption from

taxation during improvements to deteriorated industrial and commercial property, including construction, in certain deteriorated areas pursuant to Act 76 of 1977; and establishing terms, conditions, and procedures for such exemptions.

Also

No. 3980 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Chapter 265, by providing for temporary exemption from taxation for certain improvements to deteriorated dwellings and on residential construction pursuant to Act 42 of 1977; and repealing Ordinance No. 596, approved December 29, 1972 providing for tax exemption for certain improvements to deteriorated dwelling pursuant to Pennsylvania Act No. 34 of 1971.

Also

No. 3981 Resolution amending Resolution 472 of 1979 authorizing Cooperation Agreement with Urban Redevelopment Authority concerning 1979 Community Development Block Grant Program by clarifying the term, "bond component," and by making certain budget line item changes and reducing maximum authorized amount from \$9,430,000.00 to \$9,230,000.00.

Also

No. 3982 Resolution providing for a Supplemental Agreement with Arthur Young and Company/Terry and Company for auditing services in connection with close-out of Model Cities Program by increasing the authorized amount from \$10,000.00 to \$10,500.00, the additional \$500.00 being payable from 1979 Community Development Block grant Trust Fund - CDPA.

Also

No. 3983 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Deborah Stephenson, to attend American Planning Association Conference, Baltimore, Maryland, October 14-17, 1979, at a cost not to exceed \$325.00, payable from Community Development Program Administration Code Account CDPA.

Also

No. 3984 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission to attend Housing Rehabilitation Programs Meeting with HUD officials, Washington, D.C., October 12, 1979, at a cost not to exceed \$125.00, payable from 1978 Community Development Block Grant Trust Fund, Housing Department Administration, CDHD (HD-78-13).

Also

No. 3985 Petition from members of Joint Committee for the Hill District and other residents of the Hill District requesting a public hearing before City Council to discuss the housing and economic development policies and programs planned for that area by various departments within the City Government.

Which were severally read and referred to the Committee on Planning, Housing, and Development.

Mr. Lally presented

No. 3986 Resolution providing for the issuance of a warrant in favor of Ransom Construcion Company, in the amount of \$200.00 for relocation of overhead door motor at No. 53 Engine Company, payable from Bond Fund 228 General Obligation Bonds of 1974 Series A, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also

No. 3987 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 3988 Communication from John C. Miller, Director, Department of Water, requesting interim approval of payment of

\$430,000.00 for additional and extra work, Rehabilitation of 11th Street, Liberty Avenue to Fort Duquesne Boulevard.

Also

No. 3989 Communication from John C. Miller, Director, Department of Water, requesting interim approval for payment for the installation of a temporary 8" water supply between a 12" water main at Forbes Avenue Bridge and a 50" water main in Boundary Street, 4th Ward, at a cost not to exceed \$15,000.00 payable from Bond Fund 229.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 3990 Resolution authorizing the issuance of a warrant in favor of W.G. Tomko and Son, Incorporated, in the amount of \$8,283.00, for work performed at Cowley-Goettman Swimming Pool, payable from 1976 Community Development Block Grant Program, Department of Parks and Recreation.

Also

No. 3991 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$14,200.00, for work performed at Broadhead-Fording Pool and Park, payable from 1976 Community Development Block Grant Program, Department of Parks and Recreation.

Also

No. 3992 Resolution authorizing the issuance of a warrant in favor of W.G. Tomko and Son, Incorporated, in the amount of \$2,290.00, for work performed at Phillips Park Swimming Pool, payable from Bond Fund 206-300, Department of Parks and Recreation.

Also

No. 3993 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation, in the amount of \$14,070.00 for work performed at Cowley-Goettman Swimming Pool, payable from

1976 Community Development Block Grant Program, Department of Parks and Recreation.

Also

No. 3994 Resolution authorizing the issuance of a warrant in favor of W.G. Tomko and Son, Incorporated, in the amount of \$6,850.00, for work performed at Magee Recreation Center, payable from bond Fund 218, Department of Parks and Recreation.

Also

No. 3995 Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$100,000.00 for work performed at Phipps conservatory, payable as follows: \$50,000.00 from Bond Fund 218; \$50,000.00 from Bond Fund 225, Department of Parks and Recreation.

Also

No. 3996 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$10,095.90, for work performed at Banksville Pool, payable from 1976 Community Development Block Grant Program, Department of Parks and Recreation.

Also

No. 3997 Resolution authorizing the issuance of a warrant in favor of Ram Construction Company in the amount of \$2,900.00 for work performed at the Pittsburgh Zoo, payable from Capital Project Fund PR 78-01, Pittsburgh Zoo, Department of Parks and Recreation.

Also

No. 3998 Resolution authorizing the issuance of a warrant in favor of W.G. Tomko and Son, Incorporated, in the amount of \$5,431.00 for work performed at Homewood Swimming Pool, payable from Community Swimming Pools Trust Fund, Department of Parks and Recreation.

Also

No. 3999 Resolution authorizing the issuance of a warrant in favor of W.G.

Tomko and Son Incorporated, in the amount of \$1,844.08 for work performed at Phipps Conservatory, payable from Bond Fund 206-300, Department of Parks and Recreation.

Also

No. 4000 Resolution authorizing the issuance of a warrant in favor of Robinson Pipe Cleaning Company, in the amount of \$600.00 for work performed at Schenley Park Swimming Pool, payable from Bond Fund 218-300, Department of Parks and Recreation.

Also

No. 4001 Resolution authorizing the issuance of a warrant in favor of Domino, Incorporated in the amount of \$910.60, for work performed at Frick Park Nature Center, payable from Frick Park Nature Center Trust Fund, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also

No. 4002 Resolution providing for agreement with Baltimore and Ohio Railroad Company for underground steam and pipe line between Bellefield Boiler Plant and Phipps Conservatory at cost not to exceed \$100.00 one-time fee and \$50.00 per year rental charge, payable from Phipps Conservatory Trust Fund.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4003 Resolution providing for the issuance of a warrant in favor of Pak-Mor Manufacturing Company in the amount of \$3,045.73 for emergency repairs to City vehicles, payable from Code Account No. 1148, Automotive Parts, Bureau of Automotive Equipment, Department of Supplies.

Also

No. 4004 Resolution authorizing the

issuance of a warrant in favor of Allied Chemical Company in the amount of \$11,770.83 for chemical Alum, payable from Code Account No. 1750 Chemicals, Department of Water.

Also

No. 4005 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$9,580.25 for chemical Alum, payable from Code Account No. 1750 Chemicals, Department of Water.

Also

No. 4006 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,093.95 for emergency purchase of Diesel No. 2 Fuel oil, payable from Code Account 1854, Coal and Oil, Zoological Park Commission.

Also

No. 4007 Resolution providing for the issuance of a warrant in favor of Boswell Oil Company in the amount of \$6,705.47 for emergency purchase of No. 2 Fuel Oil, payment from Code Account 1144, Gasoline and Diesel Oil, Bureau of Automotive Equipment, Department of Supplies.

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 4008 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 17 Police Sedans, at a cost not to exceed \$110,000.00 payable from Code Account 1154, Motorized Equipment, Department of Supplies.

Also

No. 4009 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$725.00 to Pisani Brothers, Incorporated for emergency repair work at the Bureau of Automotive Equipment.

Also

No. 4010 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$2,509.00 to Penetone Corporation for emergency purchase of cleaning materials needed in City Garage facility.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4011 Resolution providing for the issuance of a warrant in favor of Laird G. Hayes in the amount of \$355.00 for stenographic reporting services, payable from Code Account 1035, Miscellaneous Services, Commission on Human Relations.

Also

No. 4012 Communication from John E. Gabriel, Executive Director, Department of Human Relations Commission, requesting permission for Human Relation Commission Staff and members to attend administrative hearing training seminar, Carnegie Mellon University, October 20, 1979 in connection with EEOC Grant at a cost not to exceed \$200.00, payable from Code Account EEOC-2, Agency Improvement Grant, Commission on Human Relations.

Also

No. 4013 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for certain Department of Personnel and Civil Service Commission Staff Members listed therein to attend U.S. Department of labor job development workshop, Lancaster, PA October 28-November 2, 1979, at a cost not to exceed \$1,200.00, payable from CETA Trust Fund, federal funds.

Also

No. 4014 Communication from Al Benedict, Auditor General, submitting Audit Report of the Liquid Fuel Tax Fund administered by the City of Pittsburgh, Allegheny County for the period January 1, 1978 to December 31, 1978.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4015 Report of the Committee on Finance for October 3, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3882

A Resolution entitled "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P. O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3883

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Independent Enterprises, Inc., in the amount of \$5,270.00 in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of a public sewer on Glenn Way; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3884

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Atwood-Bates Construction Company, Inc., in the amount of \$20,000.00 in payment for emergency work furnished for the benefit of the City in connection with the reconstruction of a collapsed sewer on East Ohio Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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Qnd there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3885

A Resolution entitled, "Resolution transferring the amount of One Hundred Twenty Four Thousand Five Hundred (\$124,500.00) dollars from and into various code accounts in the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3897

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, New Jersey 07960, in the amount of \$29,500.00 in payment for blank flanging a 24" gate valve, rehabilitation of a 24" gate valve, installation of a 30" butterfly valve, and the construction of two structural steel platforms, furnished for the benefit of the City in connection with the replacement of valves and pipes at the Howard Street Pumping Station, City Controller's Contract No. 23462 and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3898

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pittsburgh Heating and Cooling, Inc., 923 Chartiers Avenue, Pittsburgh, Penna., 15220, in the amount of \$19,000.00 in payment for the repair of the air conditioning system at the Water Treatment Plant furnished for the benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
	Mr. DePasquale
	(Pres't)

Ayes	7	Noes	1
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(MR. LALLY VOTING NO)

And there being two-thirds of the votes of Council in the affirmative the bill passed finally.

Also,

Bill No. 3899

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Flavoripe Company in the amount of \$716.28 in payment for the purchase of cold cup lids used in the concession stands at the Pittsburgh Zoo, furnished for the benefit of

the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3900

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Davison Sand & Gravel Company in the amount of \$320.68 in payment for gravel needed at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3901

A Resolution entitled, "Resolution providing for the transfer of funds, in the amount of Two Thousand and Five Hundred (\$2,500) Dollars from Code Account Number 1839, Supplies and Materials to Code Account Number 1841, Repairs."

Which was read.

The Chair:

Is there any discussion on the bill?

and on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3912

A Resolution entitled, "Resolution providing for the issuance of a \$1,280.32 warrant to A.Z. Chevrolet, Inc., in full settlement of claim for automobile damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3913

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of William J. Crowley, c/o Herman Lipsitz, Esquire, in settlement of claim for damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 3914

A Resolution entitled, "Resolution providing for the issuance of a warrant to harleysville Mutual Insurance in the amount of \$2,019.00

in full settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 3954

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,093.95 for the emergency purchase of fuel oil, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Bulls for Mr. Coyne presented

No. 4016 Report of the Committee on Public Works for October 3, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3730

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1350,

effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by decreasing the amount of funds in various line items and transferring funds between projects."

Which was read.

Also,

Bill No. 3886

A Resolution entitled, "Resolution granting unto Giovanna J. Catanese, her heirs, administrators and assigns, the privilege and license to construct, maintain and use, at her own cost and expense a four inch brick facing with two windows on her building at 5512 Walnut Street in the Seventh Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3887

A Resolution entitled, "Resolution further amending Exhibit I of Resolution 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977, as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379, effective December 12, 1978, as amended by Resolution 108, effective February 16, 1979, entitled, 'Resolution approving 1976 Capital Improvements Projects; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; providing for the

payment of the costs thereof', by allocating funds and creating new line item."

Which was read.

Also,

Bill No. 3888

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1589, approved December 30, 1978, effective January 1, 1979, as amended by Resolution No. 622, approved June 27, 1979, effective July 10, 1979, entitled: 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds'; by reallocating funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens:

Mr. President, may I hold my Committee until last so we will have a full quorum within Council. Billy Coyne is on his way in, I know that and I think we have some important legislation coming up in this package that I would like to see all Councilmembers present for.

Michelle Madoff:

Mr. President, I think we ought to ask for a ruling on that from our advisor because I addressed that issue one day about people leaving the room if you have an emergency call, how we vote in getting important votes on the record and if memory serves me well the important vote I wanted on the record was Mr. Givens.

The Chair:

I believe that is the prerogative of the Chair.

Michelle Madoff:

I don't know, it may be the prerogative of the Chair, is that correct?

Mr. Givens:

The Chairman of that particular Committee requests that this be delayed until the end of the session.

The Chair:

That is the respect we would pay to any Chairman of any Committee. Allright Mr. Givens.

Mrs. Masloff presented

No. 4018 Report of the Committee on Parks and Recreation for October 3, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3902

A Resolution entitled, "Resolution amending Resolution No. 268, approved March 29, 1979, effective April 3, 1979, entitled, 'Providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1979; and providing for the payment of the cost which is not to exceed \$9,500 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of

Parks and Recreation,' by providing \$3,000 for additional services, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

This is the bill that there was an error on, it was supposed to have been the extra \$3,000 which was not incorporated. It is not an additional \$3,000, is that correct?

Mrs. Masloff:

That is correct.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Mr. Lally presented

No. 4019 Report of the Committee on Lands and Buildings for October 3, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3984

A Resolution entitled, "Resolution providing for the lease of certain property at Federal & Lafayette Streets, being known as Block 46-K, Part Lot 216, in the 26th Ward from Nunzio and Carmella Pilotta, for a term of one year, at a rental of \$10.00 per month for Automobile Parking purposes, upon certain terms and conditions; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3985

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3896

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. P.L. 787, May 21, 1937, as amended by Act No. 250, approved July 29, 1941."

Which was read.

Also,

Bill No. 3911

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Lands and Buildings on behalf of the City of Pittsburgh to enter into a lease with the Kingsley House Association for a term of 99 years at a rental of \$1.00 per year for property owned by Kingsley House Association located at 220 Larimer Avenue, 12th Ward of the City of Pittsburgh, designated as Block 83 S, Lot 308-00."

Which was read.

The Chair :

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
(PRES'T)	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4017

Report of the Committee on Planning, Housing and Development for October 3, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3819

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Parkway Center Shopping Mall Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Parkway Center Shopping Mall Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special

Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

As we were voting, and as I was leading the opposition the other day, to the Kossman Proposal, their property in Greentree was falling down. I did a little checking on that and there is a gentleman in the audience today from the City Line Coalition, a Mr. Harry Hatters who confirms that it still has not been rectified, I'm talking about the landslide of the parking lot on Mr. Kossman's own property. I spoke to our own Department of Public Works. This is not the first time Mr. Kossman has had a slide, they certainly have not been as bad as this, but they have been warnings that something could happen.

I asked why did it happen, was this a matter of fill that was put in, as you know, part of that project was fill, it appears that it was just probably, and this is an educated guess, not properly engineered, it was not laid out properly so that the run-off would go in the right direction.

I hesitate and I hope that everyone else on Council would hesitate to support subsidies for somebody who has not been a good neighbor, who has not correct, or kept his own laundry in his own back yard and cleaned up his own act, and I don't see how morally, we can go ahead and support this particular venture. Beyond that, which is probably more important, for many of us who were here at the hearing the other day, we learned for the first time that there is another project in the planning stage, I think it is called the Warriors Hill. There is another one that is about to come before Council or the Zoning Board called West Point. There are so many new projects planned for that area and how can we as representatives of the people, in good conscience, accept somebody who gets up representing a Mr. Kossman or anybody

else, who really is a hired gun, and says, "we're only going to contribute 4 percent more to the flood waters", and "we're only going to contribute less than 1 percent to the Saw Mill Run open sewage." There is no doubt in my mind, in an educated mind, that somewhere, sometime, because of that raw sewage we're liable to have an epidemic and who are we going to blame then? What are we going to do, look at each other and say, "well, you know we need progress, we need jobs" — sure, we want those 1,600 jobs, I want them too, but how about 16,000 jobs in the union by having somebody do something about the sewers?

I think every one of us has been reading the papers the last few days. There have been article after article, letter after letter to the Editor talking about the dire need of finally doing something about the Saw Mill Run problem. There is talk about an ALCOSAN II that has been resurrected. Foerster came up with the concept of ALCOSAN II nine years ago. Somebody is going to have to have some guts, I'd like to use another word — some proverbials — and say, "no, we'll stop everything, we have a moratorium and nothing will be built there until the Mayor of this community shows some leadership, the Governor of this State shows some leadership" — and I don't care if we have to go to Washington to get the dollars, but somebody says nothing is going to happen here until we correct that Saw Mill Run and the sewage problem.

I don't see how whatever your differences may be with any member of this Council, how can you morally vote for this?

Thank you.

The Chair:

If I may, Michelle, they are the very comments you made at Wednesday's meeting with the exception of the slide, and I find it rather hard to believe that the gentleman is doing nothing to correct that.

Michelle Madoff:

Excuse me, Mr. President, what did you say? You say you find what hard to believe?

The Chair:

That Mr. Kossman didn't respond to the slide at all.

Michelle Madoff:

He has been patching up with spit and paste instead of bringing engineers in to do a proper job. That's the information I have. I can't tell you that it is accurate, but I think we ought to check on it before we vote on this.

Mr. Stone:

Mr. President, if I may, I will not go into any personality problems with this matter. I do, however, want to handle this purely on the merits of the bill itself. Relative to that particular area, it is no question that we have had a traffic problem, that traffic problem is worse and is getting worse even under the present demands and present use. But what is anticipated here, we are going to have an increase in traffic and obviously you don't need to be a traffic genius to see that there is no additional room and no additional ways that you could possibly relieve the traffic problems that exist in that area.

Relative to our sewer problems in that particular area, they are bad, in fact they are terrible. There is no solution presently in sight for the present needs that we have, and what we are attempting to do as I see it, is to aggravate the problem. We have in this City Council of this City of Pittsburgh, held back the development of residential dwellings, heretofore, and now, we see no problems in a massive commercial development which is obviously going to over impound the problem that we presently have.

There is presently a landslide problem and I won't attempt to indicate that there is any negligence in any respect, but nevertheless, from the reports that I have been able to ascertain, it seems that Mr. Kossman, the present developer here, is to be responsible for correcting that slide, whatever its cause is.

Presently, there is something that I have noticed that seems to be a problem with our Planning Commission and this developer and that is the matter of the environmental im-

pact study. This problem has not to my understanding been resolved, but rather is still an open issue and what is happening at this point is that City Council is relegated to the position of delegating its authority to someone else to resolve it, maybe not to the overall liking of this Council if we knew the true result.

It is my understanding that part of the environmental problems are beyond the territory and property of this particular development. The City of Pittsburgh obviously would like to have this developer pick up that responsibility, even if it goes beyond his property line. This developer, and perhaps rightfully so, feels he is not responsible beyond his property. So what you have is an unresolved issue and in my opinion, a very major issue.

Relative to the UDAG money that is to be used at this particular development, I don't see how, the amount of money we are giving, we can even correct the present problems let alone aggravate it in the future and then attempt to believe that because we have some federal dollars that is going to resolve the problems we presently have as well as the future problems. I don't see it there, I'm not against, I want that clearly understood, I have no objections to employment, in fact I'm for and wholeheartedly will endorse any project for employment. I think the \$1.8 Million could be used elsewhere for employment of personnel so that we can keep our City economically sound. There are too many unanswered issues for me to vote at this time. If they were answered perhaps I might be in the affirmative. However, they are unanswered and without them being answered at this time, I don't believe that I personally, living in the south of the City of Pittsburgh, can be fair to those citizens who heretofore have been denied the basic dwelling houses for themselves because of sewer problems and we are now giving a major development which is going to aggravate what they presently have. While they can't get the benefits, mainly the opportunity to build a better house for them.

In that light, obviously my vote would be opposed, but, because the issues are not resolved, I think this thing should go back, I think more study ought to be done, more answers resolved before this Council votes on it

and not leave it with a lot of unanswered issues.

The Chair:

Mr. Stone, I share your concerns, some of your concerns, and also Michelle Madoff's but in regards to traffic, I just wonder if we are not pushing the panic button. On two occasions this past week I had appointments with people in town at 12:00 and these are very punctual persons — both didn't get there until past 12:30. Reason being traffic. They just couldn't make it in. Now, are we to ban all projects in town because of traffic? We certainly have a traffic problem in town when very punctual people are a half an hour late just coming into the heart of town.

Mr. Lally:

Mr. President, I have mixed feelings about Bill No. 3819. I voted in the affirmative the other day, last Wednesday due to the fact of the unemployment situation in the City and what this particular project would do as far as employment. But after that meeting, after the slide, I don't know if Mr. Kossman acted responsibly. As of this morning, the traffic was still — Greentree Road was only opened to passenger car traffic, now his argument was that it belonged to PennDOT and PennDOT says it belonged to him. I would like to see before this bill is officially passed or whatever, has to be, if the Mayor has to sign it, that we could put some kind of wording in the resolution stating that he would be fully responsible for all the slides and for the traffic conditions on Greentree Road before I could see to pass this bill today. I do think that there should be a further study made here.

Mr. Givens:

Mr. President, I have to echo Councilman Lally's position on this too, and I think it can be done very nicely. This bill cannot be too much put back into committee. There has been obligations made on the part of Kossman, Inc., to have certain contractual agreements with the people who are going to move into this shopping and mall that he is building out there. As far as the traffic, I echo your sentiment, Mr. President, if this whole City were to be predicated on what the

traffic flow was, I don't think the City would have been built and a lot of this country would have never been built. I think there are major problems on the Greentree Road out there and I think it's something that this City, Greentree, PennDOT and the State as a total body — that area is going to be developed out there, sooner or later. The fact that it has been very residential, I have to appreciate that the people have a nice hide away very close to Pittsburgh, but as the rest of the Eastern part of Pittsburgh is developed all the way out to Plum Borough and Penn Hills, so will the South Hills develop where there will be wall to wall type of building of homes in very nice areas that they have out there now. Compounded with this is going to be a traffic problem. I think that traffic problem will be alleviated when we address ourselves to it, but to stop the development, I think we are going to hurt ourselves. The Mayor of the City of Pittsburgh must approve this particular project after it leaves this Council. I would like to recommend that not the total responsibility, but some responsibility be put on the Mayor's shoulders to look into, from the time this Council, if it is so inclined to pass this particular bill, to have the Mayor have the veto power which he has on all bills that go before him and if he does not feel, if the Mayor of the City of Pittsburgh does not feel that Kossman is acting responsibly, that the Mayor veto that particular bill, it will then come back into this Council where this Council will have an opportunity to vote on it again. That is putting a lot of responsibility onto the Mayor, but I think that because of the time criteria on this particular development, if we do not pass it here today, we cannot even put it back into Committee for example, for another week to debate it because the contractual agreements are made, this thing either flies or dies today.

The Chair:

I was just wondering if we could vote on the bill, considering Mr. Lally's amendment, in other words, make it appear on the bill that the amendment must be approved by Mr. Kossman before we can give it approval. If we vote it up today and Mr. Kossman didn't agree to the terms, then automatically it would be voted down.

Mr. Givens:

I don't think this Council can amend that particular ordinance to indicate that Mr. Kossman is responsible.

The Chair:

Well, you've got a couple choices there Dick, one is to recommit the bill, you say it's a matter of time, we can't do that and the other is the suggestion of Mr. Lally, or otherwise we've got to vote it up or down today.

Mr. Givens:

Well, I think that the suggestion that I made that the Mayor also has time to review this and during that period of time of his review, he can also look into the fact as to whether Kossman is responsible for that particular slide and try to get some resolution and if not then it's going to die and if it dies we're going to lose 1,600 some jobs and 300 some thousand dollars worth of income, tax wise into the City and I'd like to look at it that particular way.

The Chair:

Council is still going to have the final say on the construction of the projects, all we are running on now is the UDAG grant in regards to the improvements.

Michelle Madoff:

Mr. President, this is a two pronged issue, so we shouldn't lose sight of it. One part of it is a supposedly, and that is based on the testimony we heard from citizens, of a particular development and a major shopping center. The other problem is all the impact on the Saw Mill Run problem, so it is, forgetting that Mr. Kossman for a moment, may or may not be a good neighbor and he may clean up his act, and we may write that into the agreement, and we may not impact, compound a felony on the traffic that is up there already. You're going to improve the traffic, but you are also bringing in a shopping center, but how much improvement can you make? But let's assume all those things were taken care of, that still doesn't address the Saw Mill Run problem. We've sort of shied away from that.

I want to just inform Council of two things. With reference to the slide, I understand from Mr. Hatters, who is here in the audience, that two City policemen are now working out at that landslide. Who is paying for that, is it the City taxpayers? We ought to check that.

Secondly, I also wanted to inform Council that Mary Coyne, and everyone knows who Mary Coyne is from her presentations before Council over the years and her interest in Saw Mill Run, has been talking to the Chamber of Commerce of both the West End Elliot Area, the Overbrook Area, groups that have invited me out to talk about the Saw Mill Run problem, we are trying to get a war chest together to take on and take some action to stop everything — a stop-action to see that nothing more goes into Saw Mill Run until concurrently development can take place when we know at least down the line, Saw Mill Run will be able to take the effluent that will be discharged into it. Now that doesn't mean just development within the City. We're talking about developers in West Mifflin, other areas that we have never done anything, or taken legal action or really taken a firm positive position to say no, you've got to stop and desist, you can't keep giving us your garbage. If groups at this point don't move to take action, they'll never do it and I'll tell you, I for one, will never want to hear another complaint about Saw Mill Run if the people do not do this. They know my sentiments, I think they are about to really move once and for all.

I want to just comment on two statements, one that you made, Mr. DePasquale about we'd never develop the City if we worried about traffic. I do believe anything new coming into the City today, such as the Oxford Project or PPG will provide better traffic flow, that is being planned in and also garages to take care of some of the problems. But getting back to the comment that Mr. Givens made, that of referring it back to the Mayor, all I can say is hah! I was absolutely nonplussed to find the Kossman Project on a supplementary agenda. How did it get on a supplementary agenda? It had to come from the Mayor's office, what do you do, give it back to him and ask to be approved what he put forth in the first place on a supplementary agenda in that none of had a chance to look at the bill? No way.

Mr. Givens:

Mr. President, I would like to make one more comment in regards to some concern that has been raised here in Council in regards to the environmental impact, the traffic flow and everything else. If this bill is approved by Council HUD who ultimately has to control the UDAG grant, will be making in fact, a complete environmental impact before they make their final approval on this. During the same period of time, HUD can be looking at other areas as well as the traffic and the sewer system and other things that are happening out there in that way, affecting the Saw Mill Run impact. So the UDAG grant is something that if it is not approved right here, every City in the country is asking for this money to say it can be transferred unilaterally to some other area in the City of Pittsburgh very rapidly, you know and I know it takes a long time before anyone can get to the stage that they are at right now in this particular development. There is nothing that I know right off hand that any developer has come forward with to my knowledge, that they want to develop a particular area. This ready to go and that UDAG money is out there and if we don't use it here then some other city is going to pick it up and when that particular is all gone — but the main thing that I want to emphasize is that HUD had a responsibility for a total impact study of that area regarding everything that happens, including the sewers and the sewage system in total and the traffic flow, etc.

Mr. Robinson

Mr. President, not to belabor the point, as one of the persons who was opposed to this project principally at the hearing I would just like to make a couple of comments. One, I think that the method by which this project was planned has brought us to the point, the point at which many of us do not have adequate information, a process that has not allowed, I think, for sufficient involvement of all the people to be affected.

Also, I think that when you talk about the UDAG grant, there are some serious questions being raised as to whether or not this is a proper usage of the UDAG grant. I would say combining those three things, the

inadequate planning, inadequate process and perhaps an over anxious attempt to utilize federal funds as available. We have now gotten ourselves in a position where we are willing to approve of a plan which to my knowledge only encompasses three sheets of paper and some conversations between our planning department and a representative of Kossman Development Corporation, plus some letters and some phone calls. I think even if we have to move this money that it is worth it to us as representatives of the citizens of the City, not to approve a project of the proportion of this one, \$17 Million, without being sure that the plans and process are substantial and adequate and that we have sufficient notice, information and input and also that we are not simply reaching and grabbing for federal funds simply because we are in competition with other cities. I was opposed to this project at the hearing on September 25, 1979, and I remain opposed to it today, October 9, 1979.

Mr. Stone:

Mr. President, if I may, I would just like to make a few comments concerning the problems in that area; if we approve this project, it will make the sewage problem in that area a lot worse than what it is now. Mr. Kossman should be responsible for the landslide out there. I say there is a question about letting the Mayor take on the responsibility of this problem.

This Council is very lenient of letting any money out of the funds for Saw Mill Run time and time again. Council is willing to vote on a Commercial project for this area and we will not vote for a project to build additional units of housing for the elderly. The total concern is the position of this project and how it affects the City of Pittsburgh.

We should all get ourselves in a position and talk about what can be done to help these people. I am opposed to this legislation and I will remain opposed to it until I get more information.

Mr. Lally:

Mr. President, I was not referring to giving the responsibility to the Mayor, I was just asking and requesting that —

Mr. Stone:

No, that wasn't you.

The Chair:

That was Mr. Givens he was referring to.

Mr. Lally:

Okay, Bob, I just wanted it to be known that I'll take the responsibility myself to vote the way I want to, but I just asked that question that Mr. Kossman would give us some guarantee that he would do something as far as the landslide.

Mr. Robinson:

Mr. President, I would like my remarks from the hearing on this bill to be incorporated into the minutes of this meeting.

**MR. ROBINSON'S REMARKS
FROM THE MEETING OF
TUESDAY, SEPTEMBER 25, 1979**

Mr. Robinson:

Bob, I was wondering if your department had forwarded to Council—I didn't see it—the proposal that Mr. Kossman actually presented to your department?

Dir. Lurcott:

Yes. I did, sir. It was with the letter. That is what I read from today.

Mr. Robinson:

On the point that I raised concerning the proposal, at the public hearing—and the first public hearing was held at the Y—was there any kind of document or anything distributed to the people in attendance, that showed the actual proposal that Mr. Kossman was making to the City?

Dir. Lurcott:

At the first public hearing, no. There were two public hearings held. Under the HUD requirements for public hearings there is sort of a dual set. The first one is to provide people the opportunity to express their con-

cerns regarding needs which could be met by UDAG applications. That is what the first hearing dealt with. So we simply received information. Among those were proposals by the Kossman Development Company, by Giant Eagle for instance and a number of others—Station Square and a few others that were in various states of development. Most of which were not in a position that we could put them together for this cycle, this three month or quarterly HUD cycle of decision making.

At the other hearing we presented both the Giant Eagle proposal and the Parkway Center proposal.

Mr. Robinson:

Were those our proposals? When I say ours, were those proposals prepared by City officials or were they prepared by the developers?

Dir. Lurcott:

They were the City's or the administration's proposals for consideration by the public of how a UDAG grant might be fashioned around the proposals made by the developers. That is that we talked about what kind of public money were we seeking for off-site improvements to deal with sewer problems, the traffic and whatever. They were presented as potential City Applications. It was very much as we presented them to Council two weeks ago.

Mr. Robinson:

So we have nothing from Mr. Kossman that specifically indicates whether he or his development company is proposing to be done in the City of Pittsburgh?

Dir. Lurcott:

Oh yes. He had made his proposal of what he is ready to do.

Mr. Robinson:

I mean in writing. Was that ever submitted to the City in writing?

Dir. Lurcott:

We have exchanged informal letters which are saying what it is we believe we have to do and what he is ready to do. We are at the moment developing that further. Finally, if we get far enough for a HUD approval the entire UDAG Grant situation will have to be developed as a contract between the City and the developer—who is probably Greentree Borough and financial institutions, in order to make the thing work. We expect prior to the submission of any application, a letter from Mr. Kossman where he will lay out specifically the items that we expect him to do and perform as part of this submission. That has to be part of the package.

Mr. Robinson:

Let me explain to you my concern. I think this is illuminating. I think most of us are under the impression that Mr. Kossman or some representatives of his corporation submitted some sort of written document to the City of Pittsburgh that could be reviewed either by citizens or by public officials. What you have indicated is that this was not done. I asked the same question concerning PPG and I got the same kind of answer, Bob. People are under the impression that PPG submitted a proposal to the City of Pittsburgh. You said they did not. You said the proposal was a City of Pittsburgh proposal with PPG as the developer. If that is the case then I think we have an entirely different situation that we are dealing with. We are talking about what the City of Pittsburgh is going to do. What I am trying to separate here is some legitimate concerns that the people may have about the Kossman Development Corporation from legitimate concerns they should have about the City of Pittsburgh. If there are City officials that are acting as technical experts for developers and using the City's time and the City's money to do that, then we need to make that clear so that people like Mr. Kossman don't get hit in the side of the head with a baseball bat that perhaps should be aimed at yourself.

I think that if we are going to have developers submitting proposals or give the impression that they submitted a proposal, then we need to have something we can look

at. Right now we have nothing that I know of that says the Kossman Development Corporation is going to develop something in Parkway Center. What we have is a piece of legislation here coming from some City department indicating that there is going to be some developments in that area. I am still looking to see the involvement of Kossman. The hearing today, I am not sure it is on Mr. Kossman or if it is on Parkway Center.

Dir. Lurcott:

It is on Parkway Center. What I can't produce for you at this very moment, Councilman, is a single piece of correspondence that outlines all of the particulars of the discussions that we have had concerning this proposal. However, Mr. Kossman has submitted and has on file the plan, basically that plan which says this is what he proposes to develop. We have integrated his proposal. He came to the City and said that he would undertake this but that he would need the designation of a UDAG in order to carry it off. He would undertake the development of his shopping mall as proposed and officially submit it in a plan with the City Planning Department for 400,000 square feet of mall shopping area.

Mr. Robinson:

Is this in writing?

Dir. Lurcott:

It is in the form of a plan and the submission as has been done almost two years ago.

Mr. Robinson:

You are missing my point. Maybe I am not saying it clearly. I am saying that I believe that people in this City, when we talk about the proposals being submitted by development or a developer is going to develop something; are under the impression that there is a written document, not a series of informal discussions or informal meetings or letters, I don't think that they are under the impression that you or others in this City are going about giving technical assistance to developers and in fact developing proposals. I believe that

people in the case of Kossman Development Corporation believe that this is their proposal which they brought to the city and which the City is considering. What you have said to me is no, this is a City proposal, and we have identified Kossman as the developer. I have not seen anything from Mr. Kossman.

Dir. Lurcott:

I think we are stumbling on the manner in which the Urban Development Action Grant program is set up. That is that it requires, ahead of time, a commitment by a developer.

Mr. Robinson:

No. I don't want to get off into what those procedures are. I don't want to spend a lot of time at this hearing discussing this issue.

Dir. Lurcott:

I think it is relevant. We have for instance a specific proposal made by Mr. Kossman at a public hearing, on public record last August.

Mr. Robinson:

But there is nothing in writing that Mr. Kossman submitted. You are ignoring my point. It is simply yes or no, Bob.

Dir. Lurcott:

I can say, as I said at the beginning, that I don't have a piece of paper that says all of the particulars that we are now suggesting be part of it. But understand that he is saying that he is ready to build that plan. He has said that publicly. He has outlined the amount of investments that that represents. He has indicated, and in fact has taken action to hire a consultant as we said would be necessary to carry out environmental assessments. These kinds of activities don't take place in the simple transmittal of the piece of paper. They have to be negotiated. That is exactly the way this program is set up. I believe it is a proper action. We have operated in good faith in that regard.

Mr. Robinson:

Bob, when developers come to the City of Pittsburgh, and I use PPG as an example because you gave me the same kind of answers about PPG. I just didn't want to fall upon it at the time because I didn't want to confuse the issues. When developers come to the City of Pittsburgh with an idea, a concern; do they have to give you a written proposal or do you simply take testimony? And do you simply engage in informal discussions and form some kind of a committee and come up with some sort of proposal which is then the City's proposal and you pick the developer. Which is it?

Mr. DePasquale:

Excuse me, Bill. By proposal would you be meaning blueprints?

Mr. Robinson:

A formal written proposal. What Mr. Lurcott has suggested to me is that there are a lot of private meetings and negotiations going on. I am saying if that is the process we need to let people know that because what we are attempting to approve are some papers here that do not contain the program or the plan.

Dir. Lurcott:

What Mr. Kossman has proposed is the plan which is on record with the City Planning Commission. He has indicated to us the value. He will indicate that today to you — the value of the investment. What is being negotiated, and I think properly so in accordance with this particular program, is what public participation there need to be in this project so that the City can submit a request for action grant funding. We are continuing to discuss that— how many dollars are necessary for public improvements, what is the form of that, what particular things would we ask of him in addition to that development to make it work. That has to be negotiated to the point of submission. It is pretty well laid out here. That is why this proposal has been prepared by our department. It says in support of the development that Mr. Kossman has proposed some time

ago, formally, to the City; we would do the following thing.

Mr. Robinson:

When you say proposal, are you talking about this one sheet of paper here?

Dir. Lurcott:

What I am saying is that the entire thing is what we are saying that the City should propose to HUD for UDAG, which is to support that plan by Kossman Development Company with the following public improvements. That is what is being submitted here for consideration by Council.

Mr. Robinson:

Okay, Bob, then if there was information that Mr. Kossman submitted which it indicates on the public record; then why is that not included with this front page?

Dir. Lurcott:

It is included as to the point of the development of 400,000 square feet of shopping space with two junior department stores, one full sized super market, a large drug store and approximately forty smaller stores. The development is worth approximately \$12,000,000.00. He has begun discussions with the County Industrial Development Authority and with financial institutions to provide the private financing. He has leases in late form of negotiation with his major tenants. He can discuss this with you today. All of that is evidence that he has been moving earth on that land for some time. We feel that is his proposal.

Mr. Robinson:

If we had not had a hearing today, these questions would not have been raised in this context. If we had passed this piece of legislation when it first came before Council, we would have done so without understanding this process that you just explained and without having heard anything from Mr. Kossman. I have yet to see the man or hear from the man. And I have yet to read anything he said about what he is going to do. Now you tell me today that this is a City of

Pittsburgh proposal and in the same breath you tell us Mr. Kossman's proposal is just one sheet of paper. I am wondering why this one is two or three pages and PPG's was as thick as this? I don't understand it.

Dir. Lurcott:

The PPG thing included a legally required Urban Redevelopment Plan and all of the legal documentation of a contractual document. The way this process is set up that does not occur until later on. What we are simply asking for from Council is will you give us the authority to submit this package as a proposal to be reviewed by HUD and negotiated out with HUD? It is both a proposal from Mr. Kossman for his side of the development, and a proposal by the City for public improvement funds in support of that. So the answer to your question is that it is in fact both. It is both a City proposal and a Kossman proposal. That is the nature of this program.

Mr. Robinson:

Bob, if we approve this would you have to come back to us at any time prior to Mr. Kossman actually starting work, to get any approval or any review from us?

Dir. Lurcott:

Yes, sir. We have to enter into contracts with the federal government and with Mr. Kossman in the same manner that we have to for the North Side UDAG. The process that we are using here is the same one that we used to the North Side UDAG and for the Stanton Heights UDAG. We held two hearings but we came to Council for authority to undertake the project.

Mr. Robinson:

Let me just explain to you what another part of my concern is. I am sure this is going to come up again. I don't want it to go too far. I think some of the problems that we are having with this project are some of the problems I had with the Stanton Heights project in terms of who are the developers and who are the incorporators of the corporation. To me, it is what appears to be a very loose process by whomever's

regulations of definition — whether or not it be the federal government or our own that allows us as a city to engage in a lot of private discussions and negotiations and not bring forward to the public some kind of document that we can look at and review. What we are asked to do is give general approval to City officials for having private meetings to go about the business of developing the City. I personally don't think that this is the way we ought to operate. I don't think you, as planning director, should keep coming here with these kinds of one page proposals asking for our approval on millions of dollars, Bob. That is my concern.

Dir. Lurcott:

It is only the approval to apply. As I said, nothing will happen. No money will transfer hands until Council approves the contractual agreement. I am, in that sense, a prisoner of the process that we are setting up. We are asking for discretionary funds from HUD. In doing so we have got to go along with the process that they have set up. It is a totally different thing from the usual thing. Usually the public money is up front to stimulate development. In this case it is at the back. We have to have all of the private things together. The contracts have got to be set and the commitments made. Then the public money comes in. In order to apply we have to get local authority at least to enter into a discussion situation with HUD. I don't know how to answer the negotiation question. It seems to me that in any kind of development situation there has to be discussions back and forth as to particulars. The documents that you reviewed as finally proposed for the PPG project were the result of long discussions. They always must be to insure that all of the features of the contract are in the best interest of the City and from the perspective of the developer the best interest of the developer.

Mr. Robinson:

Is there anything that legally stops you from giving us all this information that you just mentioned in the front? With the meetings and letters, is there anything that legally stops you from giving that to us now?

Dir. Lurcott:

I suppose if we had a lot of time we could put together a complete contractual agreement with the developer and have all of the papers laid out and signed. We could then present them to Council and at that point submit. I would suggest two things. For this proposal the timing of the lease arrangements between Mr. Kossman and his major tenants is such that this is only valuable to him if it can be done and a decision can be made on the availability of these funds by the end of the year. That puts us in a time bind. That is what I was referring to by Mrs. Madoff.

Secondly, if we do all of that before we even apply, then we have used up additional technical time to prepare all of these documents with no assurance from HUD that we'll get the money. It is a completely discretionary decision on their part. Therefore they have a set of requirements which are not a contract but a laying out of specific commitment letters from the developer which are being prepared right now. We are trying to put all of those together into a package that we can get in on time.

Mr. Robinson:

Just one last question. Is there any reason that in the actual resolution that Mr. Kossman or the Kossman Development Corporation is not mentioned as the developer?

Dir. Lurcott:

There is no particular reason for that. I think it was just a sort of form wording. There really isn't any development. It may be the sense of the name.

Mr. Robinson:

Does that then mean that if we were to approve this and HUD were to give the City of Pittsburgh the money, that some other developer could be designated to develop that Parkway Center project?

Dir. Lurcott:

I suppose it could. But it could not without all of the same kind of documentation by whomever that other developer

would be. Also a contract would have to be signed with the City so that Council would review that again. There is certainly no intention in that. It is sort of a format that we developed.

Mr. Robinson:

Okay. Thank you.

Michelle Madoff:

I'm going to be very brief, I want to ask every member of Council one question, search your conscience and tell me or tell yourself, or answer the question, would you vote to put more refuse, more open garbage, more human waste into an open sewer in back of your house. And, if you can say yes, then vote for it.

Mr. Givens:

I have just one point Mr. President, very quickly, and that is that I did talk to Paul Cain on this particular issue, it's not something that he was unfamiliar with, and the person at HUD that will approve this particular application for a loan, that is all it is — application, it still has to go before other bodies of government before it is finally approved.

The Chair:

Is there any further discussion the the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally

Noes:

Michelle Madoff
Mr. Robinson
Mr. Stone

Abstaining:

Mrs. Maslof

Ayes 5

Noes 3

Abstaining 1

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 3889

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a) A (14) of the Pittsburgh Code, Title Nine, Zoning, Article V., Chapter 993 for authority to Allegheny Health, Education and Research Corporation to continue use of the existing structure located at 124 East North Avenue, zoned "R4" Multiple-Family Residence District and identified as Lot No. 258, Block 23-L in the Allegheny County Block and Lot System, as administrative offices for the hospital related Home Care Program with parking on a rear lot, identified as Lot No. 249, Block 23-L, in the aforesaid system, 22nd Ward."

Which was read.

Also,

Bill No. 3890

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a) A (10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to use the existing structure at 10 and 12 East North Avenue as an Institutional facility for Light of Life Rescue Mission on property zoned "C3" Commercial District and bounded on East North Avenue; Lot No. 98, Block 12-L in the Allegheny County Block and Lot System; Citron Way; Lot No. 101, Block 23-L in the aforesaid system; 22nd Ward."

Which was read.

Mr. Robinson:

Mr. President, I would like my remarks from the meeting of Wednesday, October 3,

1979 on Bill No. 3890 incorporated into the minutes of this meeting.

MR. ROBINSON'S REMARKS FROM THE MEETING OF WEDNESDAY, OCTOBER 3, 1979:

Mr. Robinson:

One question as a follow up. The proposed changes, as I understand it, are only proposed changes. Any conditional use that is coming before us for a facility that might generally be considered a group home would be impacted upon by that proposed change. It is possible that the location being proposed could be indeed completely reworded in such a fashion that everything we are approving can be worked out; that is an open possibility. All I think we ought to do is keep track of every conditional use that we are approving for any institutional-type facility in the City of Pittsburgh, whether it has been identified as a group home or not. If for no other reason the impact of city-wide implications. While I recognize there are communities that cannot have it, there are others that do but the law is going to be the general law. What the people have proposed — I don't think it has to be passed or approved, nor has it been centered out, but they feel we have to re-work the law around it.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presented

No. 4020 WHEREAS, the City presently exercises an Administrative regulation that requires owners, lessees, and occupants to place garbage and household rubbish at special locations during special collection periods.

WHEREAS, the placement of garbage and household rubbish at special locations other than referred to in Section 601.12 (d) of the Pittsburgh Code may cause undue stress to those citizens who by reason of age or physical handicap are incapable of doing so,

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh hereby expresses its desire that any administrative regulation requiring the placement of garbage and household rubbish at any special location other than as referred to in Section 601.12 (d) of the Pittsburgh Code, provide for the exemption of any owner, lessee or occupant who by reason of age or physical handicap is incapable of carrying garbage and household rubbish to such special location and who does not reside with any person who is capable of so carrying garbage and household rubbish; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh further suggests that any such administrative regulation provide for the presentation by elderly or handicapped persons of acceptable proof thereof in order that the names and addresses of such persons may be rendered to the City's Information Systems and placed on computer and issued to the route foremen within the Department of Environmental Services for appropriate action.

Which was read.

Michelle Madoff moved for approval.

Mr. Stone:

If I may, I don't have any objection to the general intent of the resolution wherein it attempts to lessen the burden of the han-

dicapped and disabled but when you are making an exception, you are at the same time implying that there was a general rule to which this exception applies. There is no general rule which was approved by Council requiring that any citizen be required to have their garbage brought to the sidewalk in front of the house. I would like to amend this resolution by adding, "Provided however, that nothing herein shall signify Council's approval or acquiescence of any general policy of change of site for the location of garbage receptacles. This is to apply during trial periods."

Therefore, the reason for the amendment is to cover an exception during trial periods where Administrative decisions are being made and those trial period decisions do not bind Council.

Michelle Madoff:

This would certainly be acceptable to me and this is only as we know, for the replacement of the Pa Pitt pickup, I absolutely agree with Mr. Stone in this instance and I would like to remind Council that it was basically the intent of Council that we do it, but we cannot do it for exactly the reason you point out, through ordinance, because you cannot discriminate against one body of people and so it was done by sort of the will of Council or suggestion that we do it as a resolution. In other words, this is what we would like to see happen, it is indeed not even law, it is a resolution that we would like to see Mr. Walker try to help the handicapped and those who will show evidence of the fact that they have nobody living with them and the handicapped, but if you care to add any legal words that would protect it, that is perfectly all right with me and I would second that.

Which motion prevailed.

Michelle Madoff:

Mr. President, I would like to ask the Chair for some counsel. I would like an update on what is happening in PPG and I don't know whether it is appropriate to wait until we have the appointment issue and do it afterwards — I've heard nothing, has anyone else heard what is happening? When do we

want to deal with it, at your discretion Mr. President, how would you like to deal with it?

Mr. Givens:

All parties Mr. President, met this last Thursday —

The Chair:

Mr. Givens, if I may, let us go on with the agenda and then we will get to PPG, okay? Thank you.

The Chair presented

No. 4021 Communication from Mayor Richard S. Caliguiri submitting the name of Richard M. Cosentino as the Director of the Department of Water.

Which was read, received and filed.

Also,

No. 4022 Resolution approving the appointment by the Mayor of Richard M. Cosentino of 2952 Fernwald Road as Director of the Department of Water.

Which was read.

Mr. Stone moved that the resolution be held for two weeks.

Mr. Lally seconded the motion.

Which motion prevailed.

Michelle Madoff:

I want to have him here so we can ask some questions, and I would like to have the gentleman who is replacing Mr. Bruecken, not the acting Director for Mr. Miller, but the technical people, I think it is Mr. Dale, I may not have the right name, to be present at the same time.

Mr. Givens:

A little discussion on this, the fact of bringing in other people in from the Water Department when we are talking to a person who is going to be approved, I don't know if that is apropos. I would like to see the individual come up on his own merits and not

discuss something that is internally happening within the Water Department, either we take this person on his merits or otherwise.

Michelle Madoff:

Let me tell you why I've done that then we can see where we want to go with it. It has come to my attention that there are some problems in the Water Department and since I may not have the correct terminology or the exact fact, I think it is important to have the person here to see if indeed, if Mr. Cosentino is appointed to see if he would address himself to those issues.

The Chair:

Well, we will ask him those questions when he is here.

Michelle Madoff:

But I think we really need somebody from the Water Department to substantiate the problems.

The Chair:

I don't think it's proper to bring somebody else up. This is Council's duty, not somebody in the Water Department, or anybody else.

Michelle Madoff:

I'm not going to be able to vote for him unless I get the answers to that and I do head that Committee.

The Chair:

It's your purview Michelle, do what you want.

Michelle Madoff:

I'm head of the Committee and I've asked that that gentleman be here. Maybe it's time we started not just asking people — it's like asking the butcher, "is this a good piece of meat?" Is he going to say it's a bad piece of meat? Are you going to be a good Director? He's going to say, "Yes, I'm going to be a good Director."

The Chair:

It is not the procedure, Michelle, when we are questioning appointees who have been sent over by Mayor Caliguiri for a position, to embarrass them. Now, I don't know Mr. Cosentino from a cake of soap, but I think he deserves the respect as any other appointee who has come to this table. If somebody wants to question otherwise the day we have the hearing, that's something else. But it is improper to bring somebody else in to question him, other than Councilmembers.

Michelle Madoff:

Why is it improper, where is it written, in what Bible? I don't plan to be rude to the gentleman.

The Chair:

I think it is rude.

Michelle Madoff:

I don't think it is rude at all.

The Chair:

To ask the man in to be questioned by somebody else—

Michelle Madoff:

I'm not going to have him questioned by somebody else.

The Chair:

Council is voting on the confirmation, not somebody from the Water Department.

Michelle Madoff:

But I'm not going to have the Water Department question him.

The Chair:

The Water Department employees voted that they didn't want Mr. Miller down there, now Mr. Miller is going and I don't know what their question is as to who is replacing him —

Mr. Lally:

Mr. President, is there a motion on the floor, Mr. President?

The Chair:

The motion was passed. Any further motions or resolutions?

Michelle Madoff:

I still want to have him present in the audience at my request.

The Chair:

In regards to that one question Bob, first of all, obviously we are all concerned with Cable TV, we know the public wants it and they should get it, we've waited a long enough time. To answer your question there, I talked to the Mayor yesterday afternoon. The Mayor felt as you did, he wanted to do exactly what you said. However, his Law Department told him legally he couldn't because of former decisions from the United States Supreme Court which ruled against the very thing you are talking about. This was the Mayor's version, now I don't know —

Mr. Stone:

Before you continue, I'd just like to comment on this subject. Those two companies that were rejected were rejected because there was a mistake in their bids for the cable communication. I think it is an unfair and unjust mistake.

The Chair:

Well, I'm only telling you what the Mayor said. I think since then the air has been cleared and I don't think it is as bad as it was when we first heard the story, I think Sophie Masloff can clue us in on where we are right now.

Mr. Stone:

If those companies put in their re-bids, it won't be until after the first of the year before we have any action. All of the companies should put in their proposals or re-bid for the Cable Communication Systems.

The Chair:

To everyone it seemed to be the obvious way to go —

Mrs. Masloff:

Let me explain that, it has turned up since last Thursday that all four companies had technical errors and they all agreed to re-submit the proposals, not as a complete proposal but as an addendum and this will all be due on the 25th of this month so that they will not all submit all new proposals. Now, we are still trying to keep in line with our deadline for January 1st. I have issued a franchise by January 1st. However, the Mayor reserved the right to, if they don't have enough time, from October the 25th, when the proposals are due, until January 1st, he reserved the right to hold it up for an additional month. But I believe that he will have a franchise by January 1st because the Cable Committee and everybody involved assures me that they will be able to assess all the proposals by January 1st.

It was originally announced that there were only two companies that had technical errors, they found later that all of them had technical errors so rather than throw them all out they are going to give them all an opportunity to add an addendum and not have to re-write the complete proposals and go through all that. All of this will be due by October 25th of this month. That will still give us enough time to assess the proposals.

The Chair:

That is all well and good, but the most important part is when Council and the Mayor's Office is going to get it, are we going to get it by at least the 5th of December because if we get it any later it is going to be rather difficult to take any action on this before the end of the year.

Mrs. Masloff:

Hopefully we will be able to take action.

Mr. Givens:

Does Council have to have a public hearing on that?

Mrs. Masloff:

No, we don't.

Mr. Coyne:

Mr. President, along those lines, Sophie, are we going to be told what those technical errors of all the companies are?

Mrs. Masloff:

I know what they are now, I've been told what they are, it was a question of one bond not being signed, it was a question of a 90 day clause —

Mr. Coyne:

Okay, but no, I mean the other two companies.

Mrs. Masloff:

I think the other companies failed to name their attorneys —

Mr. Coyne:

I think it would be well for the Law Department to send us a memo stating what the defects of all four proposals were.

The Chair:

You are right. It's like Mr. Stone said, if we are going to get that technical, we are perhaps never going to accept any bids or proposals, if they are going to say, you forgot to dot an i or cross a t.

Mr. Coyne:

Well, I'd like to have the City Clerk ask the Law Department to send us —

The Chair:

There are two major discrepancies, the one on the bid bond signing, and the cancellation clause.

Mr. Coyne:

I'd like to have the City Clerk write the Law Department and have them send us what the causes of all four deficiencies were.

The Chair:

The Clerk is so ordered.

Michelle Madoff:

Mr. President, Mr. Stone used a term that I would like to pick up if he doesn't mind, that he is hard pressed and I'm hard pressed to understand why when this thing happened over a weekend, when there is an issue, when the Mayor wants us to vote on a budget item, we all get calls at home. If there is something important that he wants, we all get calls at home. I don't think it is proper that I got a call from a party saying, "Is it true that they are going to reject the bonds?" I said, "Gee, I don't know, I'll find out." And then I called Sophie and asked her and she said yes it was so and they were going to make a public announcement on Tuesday because Monday we were closed. I see no reason why the Mayor did not call us, so I don't have to call Mr. Givens who has a great concern about consultants reviewing this voluminous amount of material, and I also see no reason why, at the very least, this morning at the Mayor's meeting, and I made a point of being there, we were not briefed, the Mayor didn't even attend the meeting and I think that is an insult to Council.

Mrs. Masloff:

Well, it's within his right to reject the bids.

Michelle Madoff:

I don't care whether it's within his right, he comes to us when he wants something, damn it he can come to us and tell us what is going on. And Mr. Pellegrini is sitting here and if he'd only take a minute I'd like to know what the problem was with the other two because I am reminded of what happened with Oxford and with Hillman. It was who got the bid got the damn thing. Could you tell us what the other two were?

Mr. Pellegrini:

The representative of the bidders of the other two —

Mr. Lally:

Mr. President, I think Councilman Coyne has asked for this in writing and I think —

Michelle Madoff:

Allright, but I'm asking for it orally right now, I have a right to ask for it right now.

The Chair:

Mr. Coyne has made a request, we will get that information..

Michelle Madoff:

I would like to have it now if no one has any objections.

Mr. Lally:

I have no objections to it.

Mr. Pellegrini:

The one company had errors in their proposal — both of them had errors in their proposals and they were requested to amend their proposals and re-submit them.

Michelle Madoff:

Well, what about the other two companies?

Mr. Pellegrini:

They all had errors in their proposals and they are also going to amend their proposals and re-submit them.

Michelle Madoff:

So they were out. And who were the other two?

Mrs. Masloff:

All four had problems.

Michelle Madoff:

What were their names, we know Warner and Teleprompter, who are the other two? Which one didn't sign the bond, was it ATC?

Mr. Pellegrini:

Yes.

Michelle Madoff:

Thank God for the media.

Mr. Lally:

He'll give it all to you Michelle, when he gets it together.

Michelle Madoff:

Are we going to get an answer to the PPG question that I asked?

Mr. Givens:

On PPG, there is ongoing dialogue between, from what I have been told, all parties. I was going to be a participant at that meeting — last Thursday they had an ongoing — about once a month they really sit down and they had a tremendous dialogue about three to four weeks ago between the PPG representatives, the URA, all the major principles, The Market Square Association, the people who are affected, their attorneys and everything as to ongoing planning, number one, and for those peoples that have an input in the Market Development area. These meetings are held in some cases at Market Square and sometimes up at URA, they had a meeting this past Thursday, and I haven't heard the result of that particular meeting but I will get it to the full Council and brief them, or maybe we can bring

someone from the Administration over and somebody up from the Market Square Association to see if both of them are talking along the same lines. I know everyone is concerned in that area.

Mr. Coyne:

I think it would be in order Mr. President that we pass a resolution stating that the Pirates must beat Baltimore tonight.

Mr. Lally:

I'll second that.

Michelle Madoff:

Aren't we going to honor Willie Stargell?

The Chair:

I think we ought to pass a resolution to get this meeting over in time to see the game.

Mr. Lally moved to approve the minutes of Monday, October 1, 1979.

Mr. Stone seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone.

Council adjourned

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, October 15, 1979

No. 41

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.

Monday, October 15, 1979

present;

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bull presented

No. 4023 Resolution transferring the sum of \$5,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police, to Code Account No. 1446-1, Investigation Expenses, Department of Police.

Which was read and referred to the Committee on Finance.

Mr. Bull moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill as introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 4024 Resolution transferring the total sum of \$21,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police, to the following Accounts: Code Account No. 1447, Miscellaneous Services, \$20,000.00; Code Account No. 1451, Repairs, \$1,000.00.

Which was read and referred to the Committee on Finance.

Mr. Coyne presented

No. 4025 Resolution providing for the issuance of a warrant in favor of W. N. Dam-bach, Inc., in the amount of \$5,585.55 in payment for the purchase of materials which were delivered to the City's Construction Division Headquarters for emergency reconstruction of the Fairhaven Road Bridge between Route 51 and Stewart Avenue, and providing for the payment thereof.

Also

No. 4026 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$9,000.00 in payment of work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 4027 Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation, in the amount of \$7,646.16 in payment for Extra Work furnished for the benefit of the City in connection with Fifth Avenue from Bellefield to South Highland Avenue; and providing for the payment of costs thereof.

Which were severally read and referred to the Committee on Finance.

Also

No. 4028 Resolution providing for a Cooperation Agreement or Agreements between the City of Pittsburgh and the Port Authority of Allegheny County in connection with the 6.8 miles of exclusive East Busway between downtown Pittsburgh and the Borough of Wilkinsburg.

Also

No. 4029 Communication from Norman Walker, Director, Department of Environmental Services, requesting permission for Phyllis Gibson, to attend Pennsylvania Vector Control Convention, Hershey, PA, November 6 & 7, 1979 at a cost not to exceed \$236.00.

Which were read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4030 Resolution providing for an Agreement or Agreement with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.00.

Also

No. 4031. Resolution creating a special trust fund for a Small and Minority Business Revolving Fund Program; and providing for the deposit of the funds in a bank account.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4032 Communication from Harold

West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$750.00 to Dormont Manufacturing Company for Steam Bundle to be installed in the Public Safety Building. Funds available in Code Account 1365, Equipment, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Lally moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also

No. 4033 Resolution providing for the issuance of a warrant in the amount of \$19,865.00 in favor of Crown Wrecking Co., Inc., 276 Ringold Ave., Pittsburgh, Pa. 15205, in payment for the demolition and removal of the 2-1/2 story frame dwellings located at 1029-1031 Royal Street the 2-1/2 story frame dwelling located at 1033 Royal Street, and the 2-1/2 frame dwelling located at 1045 Royal St., 26th Ward, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4034 Resolution authorizing the sale of property in the 18th Ward of the City of Pittsburgh, located on Jonquil Street, designated as Block 13-P, Lot 24, for the sum of \$800.00 to David P. Jablonski and Debra A. Jablonski, his wife.

Also

No. 4035 Resolution amending Res. No. 253, app. April 26, 1976 which authorized the sale of property in the 18th Ward on Sylvania Ave., designated as Block 15-L, Lot 94 to Percy Wallace Sr. for the sum of \$200.00. Reason for amending is to change act of sale from 514 of 1947 to Act. No. 787 of 1937. All else in Res. No. 253 shall remain same and in effect.

Also

No. 4036 Resolution amending Section (J) on Page 4 of Res. 853, app. 9/20/79 for the sale of property on 225 Apline Ave. 25th Ward to Martha E. Ellis for the sum of \$250.00 by correcting Lot No. 231 to read 23-F, Lot 281. All else in Res. No. 853, Section (J) shall remain the same and in effect.

Also

No. 4037 Resolution providing for the filing of a petition or petitions for the sale of certain property r properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also

No. 4038 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,700.00 for extra work in connection Head Ventilating and Air-Conditioning Work related to construction of Carnegie Library/Hill Branch HVAC.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4039 Resolution providing for the issuance of a warrant in favor of Somple Supply, Inc. P. O. Box 428 West Newton Road, Greensburg, PA., 15601, in the amount of \$450.00 in payment for the purchase of three 16" transition couplings furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 4040 Resolution repealing Resolution No. 845, effective September 26, 1979, which provided for the letting of a contract or contra cts for the furnishing and delivery of combined tapping and drilling machines for the Department of Water, and for the payment thereof.

Also

No. 4041 Resolution providing for the letting of a contract or contracts for the furnishing and deliery of ten (10) globe

geophones for the Department of Water, and for the payment thereof.

Also

No. 4042 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (desks, chairs, file cabinets, etc.) for the Personnel & Civil Service Commission, and for the payment thereof.

Also

No. 4043 Resolution providing for the letting of a contract or contracts for the furnishing, delivery and complete installation of approximately 300 square yards of carpet for the Department of Lands & Buildings, and for the payment thereof.

Also

Noo 4044 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks), less trade-in, for the Fire Department, and for the payment thereof.

Also

No. 4045 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$7,120.00 to Allied Chemical Co., for Chemical Alum to be used in the Water Treatment Plant Funds available in Code Account No. 1750. Chemicals, Department of Water.

Also

No. 4046 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$1,436.13 to Keystone Spring Service, Inc., for emergency repair work to certain City vehicles. Funds are available in Code Account 1150, Outside Repairs, Contract, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4047 Resolution amending a portion of Res. No. 825 approved September 17, 1979

entitled "Providing for an agreement or agreements with Abraxas Foundation, Br-shear Association, Educational Programs - Diocesan School Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the Implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for he payment of costs thereof."

Also

No 4048 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also

No. 4049 Resolution transferring the sum of \$1,000.00 from Code Account No. 1017, Miscellaneous Services, Mayor's Office to Code Account No. 1018, Supplies, Mayor's Office.

Also

No 4050 Resolution amending a portion of Res. No. 826 approved September 17, 1979 entitled "Providing for an agreement or agreements with the Manchester Citizens Corporation, Pittsburgh Ballet Theatre, Elder-ado, Inc., Pittsburgh Arts and Crafts Center for the implementation of the Comprehensive Employment and Training Act, Title IV Subpart B of the Youth Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project; and providing for payment of the costs thereof."

Also

No. 4051 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Regina Hanna and Rosemarie Nagy, to attend U.S. Department of Labor session on developing and using various evaluation techniques, Philadelphia, PA., November 6-9, 1979, cost not exceeding

\$425 00, payable from CETA Trust Fund, Federal Funds.

Also

No. 4052 Communication from Mead J. Mulvihill, Jr. City Solicitor, submitting summarizes settlements of Claims not exceeding \$750.00 for the third Quarter of 1979, payable from C.A. 1081, Pett, Claims.

Also

No. 4053. Communication from Charles W. Strong, Ex. Director, Public Auditorium Authority of Pittsburgh and Allegheny County, submitting Audited Report for the fiscal year ending June 30, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4054 Report of the Committee on Finance for October 10, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3925

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Graybar Electric Company, Inc., 900 Ridge Avenue, Pittsburgh, Pennsylvania 15212, in the amount of \$2,319.30 in payment for electrical equipment furnished for the benefit of the City in connection with the City-County Information and Identification System Project; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3929

A Resolution entitled, "Resolution amending Resolution No. 256, approved April 3, 1979, entitled, 'Authorizing the issuance of a warrant in favor of J-Jac Construction Company, in the amount of \$11,850.00 in payment for Extra Work furnished for the benefit of the City in connection with Reconstruction of Forbes Avenue; and providing for the payment of costs thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 8 Noes 1

(MR. DE PASQUALE VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3934

A Resolution entitled, "Resolution authorizing the transfer of \$4,230.00 from Code Account No. 1375, Salaries and Wages Regular and Temporary Employees to Code Account No. 1376, Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also

Bill No. 3944

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$5,798.48 in payment for renovations to make public restrooms at the Homewood branch, without previous authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes 0

And there being two thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3945

A Resolution entitled, "Resolution transferring the total amount of \$11,500.00 from Code Account 1368, Salaries and Wages, Regular Employees to Code Account 1360-1, Premium Pay and Code Account 1362, Supplies, Department of Lands and Buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3947

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Highway Equipment Company, P.O. Box 15038, Pittsburgh, Pennsylvania 15237, in the amount of \$4,583.73 in payment for the repair of a back-hoe loader furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3948

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pacific Scientific, Department 3-9227, Los Angeles, California 90088 in the amount of \$629.23 in payment for repairs to a HIAC particle counter furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3949

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of S.A. Dukes Company in the amount of \$340.00 in payment for Drinking Fountain used at West End Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3950

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Bunting Stamp Company in the amount of \$1,288.19 in payment for Metal Identification Tags used for Swimming Pools Division, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3956

A Resolution entitled, "Resolution transferring the aggregate sum of \$18,000.00 within Code Accounts of the Department of Law."

Which was read.

Also,

Bill No. 3957

A Resolution entitled, "Resolution authorizing additional work under agreement 23729 with Ernst and Ernst for audit of the Local Public Works Grant."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3962

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Grogan, Graffam, McGinley & Solomon, Attorneys at Law, in the amount of \$320.00 in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law."

Which was read.

Also,

Bill No. 3974

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Levinson Steel Company in the amount of Six Thousand three Hundred Fifty three Dollars and Thirty Four Cents (\$6,353.34), in payment for the purchase of materials which were delivered to the City's Construction Division Headquarters for emergency steel repairs for the Hillview Street sidewalk at the intersection of Routes 51 and 88, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4003

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pak-Mor Manufacturing Company in the amount of \$3,045.73 for emergency repairs to City vehicles, and for the payment thereof."

Which was read.

Also,

Bill No. 4004

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$11,770.83 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and

providing for the payment thereof."

Which was read.

Also,

Bill No. 4005

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$9,580.25 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 4006

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,093.95 for the emergency purchase of Diesel No. 2 fuel oil, and for the payment thereof."

Which was read.

Also,

Bill No. 4007

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boswell Oil Company in the amount of \$6,705.47 for the emergency purchase of No. 2 fuel oil, and for the payment thereof."

Which was read.

Michelle Madoff:

Mr. President, I have on occasion raised the issue of a mix of the number 6 and 2 oil and I took the liberty, with the approval of Mr. Yatch, of contacting the three companies that we buy our oil from, the Amoco, Boswell and Boron companies. I am happy to report that Mr. Yatch is doing a superb job. It appears the reason we cannot take advantage of the lower rates available elsewhere is there just isn't a pipeline into the area, there just isn't a number 6 oil available and if it were we would have to take a tanker and the zoo could not use a tanker. They have been buying it from the company that is giving us the absolute lowest

bid. I thought I ought to report that.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4055 Report of the Committee on Public Works for October 10, 1979 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3930

A Resolution entitled, "Resolution granting unto the Western Pennsylvania Hospital, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, two pedestrian bridges over South Millvale Avenue in the Eighth Ward of the City of Pittsburgh."

Which was read.

Michelle Madoff:

Mr. President, I don't intend to cause any undue hardship to West Penn Hospital, but I would like to bring to the attention of this Council the fact that I had requested at a Mayor's meeting, from Mr. Miller, that he provide me with an update of those hospitals that had now committed themselves to back-flow protection. As a reminder to Council the

backflow protection is to protect contaminated materials from getting into the water. As you know that bill passed in Council two years before I got here and about a year ago I had a meeting with all the representatives of every hospital in the area. They had in most cases not done anything. All of them have now gone out and contracted, engineered, installed or are imminently doing so. The only hospital that has responded, and I would like to read very briefly what they said, Western Pennsylvania.

"The Director of construction engineering does not believe that our ordinance requires retroactive compliance."

In other words, they are standing on a grandfather clause. I spoke to the Assistant Executive, Mr. Pettengill, I believe, and he was to get back to me as to reviewing it because as I pointed out to him I was sure that he would not stand on a grandfather clause, or as he put it a retroactive compliance. When we have a situation where it is well documented in the medical literature of two major episodes, one where something like 400 people got polio from an effluent that was not controlled and I forget what the other illness was, my husband was correcting me in the car telling me it was the other one, so I think there are two.

I would like to—I don't know whether I want to hold this or not but I really feel that number one, we should have an opinion from our legal department pursuing with West Penn Hospital their intent, to see where they are going to come into compliance. And, if indeed, in this bill, we are not causing a hardship, but we are giving them something that they want, perhaps we ought to delay a week and find out what they are going to do about protecting the water of the City.

The Chair:

Mr. Coyne, do you want to recommit the bill?

Mr. Coyne:

Michelle, do you feel that you might be able to accomplish something by delaying the bill?

Michelle Madoff:

Well, I spoke with him and he was to get back to me and very frankly I've been swamped and I have not had a chance to call him, I will do so today and I'd like a week just to contact him.

Mr. Lally:

The bridge is already up, Mr. Coyne.

Michelle Madoff:

Then what are we voting on?

Mr. Coyne:

The Director explained last week that this was delayed, he should have had it in beforehand and it's one of those things that was delayed.

Michelle Madoff:

Well, then why don't we just—if it's up and I'm sure they need it, and I have no desire to cause any patients or medical staff any problems, I started by saying that I don't want to cause anybody undue hardship, but then why don't we just pursue—I should have brought this up at the end of the meeting but since it was a West Penn Hospital request, they want something from us, we gave it to them, I think we have good grounds to stand on, I'll call them today and see what's happening, but I think perhaps it shouldn't be me, I think it should be the legal department and I will make that as a motion.

The Chair:

Are you saying that the bridge itself has something to do with it?

Michelle Madoff:

No, there was a law passed two years before I came to Council Mr. President, that mandated that all hospitals put in backflow water protection so contaminated water cannot go back into the drinking water. Every hospital now has committed itself, I met with them within the last year, they gave me their word, and they are doing it. The only hospital that is saying "our engineer tells us we don't have to do it because there is a grandfather clause" is West Penn Hospital. Now, maybe they have re-thought their position and they

have gone back because he did say he would review it and perhaps they have now had a change of heart. I think that should come from our legal department, because I did speak to Mr. Miller only this morning and he said they have to do it. I'm very distressed that they would take a position like this.

The Chair:

In other words the bridge has no bearing—you're saying in the future they should get no building unless they agree.

Michelle Madoff:

Good Point.

Mr. Lally:

We could make a compromise that they would go along with.

Michelle Madoff:

I didn't know the bridge was in already. According to this bill, I didn't know the bridge was already constructed and I was going to say, maybe we could hold a week and say, "you give us something, we'll give you the authorization", but since it is after the fact, may I just request that our legal department through Mike Perry pursue this and I would hope Council would support me on that.

The Chair:

In the meantime we can't tear the bridge down, okay?

Michelle Madoff:

No, it's already there.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes 1

(MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3931

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four—Public Places and Property, Article One, Streets and Sidewalks, Chapter 413, Construction and Repair, Section 413.02, Sidewalk and Curb Bond and Permit Required - Work Approval, by adding a new subsection 413.02(a) (1)."

Which was read.

Also,

Bill No. 3975

A Resolution entitled, "Resolution further amending Resolution No. 780, effective August 22, 1979, as amended by Resolution No. 824, effective October 2, 1979, entitled, 'Providing for a Contract or Contracts for East Liberty Study Implementation (PW 79-22); and providing for the payment of costs thereof', by redesignating funding sources."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4056 Report of the Committee on Planning, Housing and Development for October 10, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3663

A Resolution entitled, "Resolution approving the revised proposal dated July, 1979, for redevelopment activities in Redevelopment Area No. 27-Manchester, located in portions of the Twenty-First Ward of the City of Pittsburgh; approving Modification No. 2 to the Redevelopment Area Plan - Urban Renewal Plan; and making certain findings related thereto."

Which was read.

Also,

Bill No. 3664

A Resolution entitled, "Resolution authorizing a Fourth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for conveyance of public properties, dedication of a public park, correction of map references, and updating financial arrangements "

Which was read.

Also,

Bill No. 3936

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the

southwestern Pennsylvania Regional Planning Commission for payment to the City in connection with work performed to carry out the 1979-80 Annual Housing and Urban Development 701 Work Program."

Which was read.

Also,

Bill No. 3937

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into a contract or contracts with Penn State University to provide training services for the staff of the Bureau of Building Inspection and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3938

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Port Authority of Allegheny County for the sale of part of Block 125S, Lot 115 in the Twelfth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3939

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an application with the Commonwealth of Pennsylvania, Department of Community Affairs for the Blight Prevention Program '80 - '81."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4057 Report of the Committee on Supplies for October 10, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3955

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 15 portable frequency modulated radio equipment for the Pittsburgh Fire Department, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Mrs. Masloff presented

No. 4058 Report of the Committee on Parks and Recreation for October 10, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3951

A Resolution entitled, "Resolution providing for an agreement or agreements for professional services and for leasing with Avalanche, Inc., for the implementation of a cross-country ski program during Winter 1979-80 in the City of Pittsburgh."

Which was read.

Also,

Bill No. 3952

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Schenley park Oval Improvements and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4059 Report of the Committee on

Lands and Buildings for October 10, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3946

A Resolution entitled, "Resolution authorizing the sale of property in the 14th Ward of the City of Pittsburgh, located adjacent to ramp "A" of the Parkway near Saline Street, being part of Block 54-H, Lot 66, to the Pennsylvania Department of Transportation for the sum of \$1.00".

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

Bill No. 4060

Communication from Mayor Caliguiri submitting the name of Louis Fosner of 2567 Beechwood Boulevard as a member of the Board of Code Review.

Which was read, received and filed.

Also,

Bill No. 4061

Resolution approving and confirming the appointment by the Mayor of Louis Fosner as a member of the Board of Code Review.

Which was read.

Also,

Bill No. 4062

Communication from Mayor Caliguiri submitting the name of Paul Imhoff as a member of the Board of Code Review.

Which was read, received and filed.

Also,

Bill No. 4063

A Resolution approving and confirming the appointment by the Mayor of Paul Imhoff as a member of the Board of Code Review.

Which was read.

Also,

Bill No. 4064

Communication from Mayor Caliguiri submitting the name of Captain Norman Sanner, Fire Prevention, as a member of the Board of Code Review.

Which was read.

Also,

Bill No. 4065

Resolution approving and confirming the appointment by the Mayor of Captain Norman Sanner as a member of the Board of Code Review.

Which was read.

Also,

Bill No. 4066

Communication from Mayor Caliguiri submitting the name of Bernard J. Liff of 317 S.

Dallas Avenue as a member of the Board of Code Review for a term to expire December 31, 19#2.

Which was read, received and filed.

Also,

Bill No. 4067

Resolution approving and confirming the appointment by the Mayor of Bernard J. Liff as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4068

Communication from Mayor Caliguiri submitting the name of Frank Schroeder of 515 S. Aiken Avenue as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 4069

Resolution approving and confirming the appointment by the Mayor of Frank Schroeder as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4070

Communication from Mayor Caliguiri submitting the name of Vincent A. Nese of 17 Patrice Place as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 4071

Resolution approving and confirming the appointment by the Mayor of Vincent A. Nese

as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4072

Communication from Mayor Caliguiri submitting the name of Nicholas Musulin of 429 Forbes Avenue as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 4073

Resolution approving and confirming the appointment by the Mayor of Nicholas Musulin as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4074

Communication from Mayor Caliguiri submitting the name of R. A. Zern of Gateway Towers as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read, received and filed.

Also,

Bill No. 4075

Resolution approving and confirming the appointment by the Mayor of R. A. Zern as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read.

Also,

Bill No. 4076

Communication from Mayor Caliguiri submitting the name of Maxwell G. Mayor of 586

Moorehead Placee as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 4077

Resolution approving and confirming the appointment by the Mayor of Maxwell G. Mayo as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4078

Communication from Mayor Caliguiri submitting the name of Aubrey G. Caplan of 7531 Roslyn Street as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 4079

Resolution approving and confirming the appointment by the Mayor of Aubrey G. Caplan as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4080

Communication from Mayor Caliguiri submitting the name of Samuel Zions of 1316 Pinewood Drive as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 4081

Resolution approving and confirming the appointment by the Mayor of Samuel Zions as

a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4082

Communication from Mayor Caliguiri submitting the name of Edward Claitman of 1345 Towerlawn Avenue as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 4083

Resolution approving and confirming the appointment by the Mayor of Edward Claitman as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4084

Communication from Mayor Caliguiri submitting the name of M. J. Begis of 129 S. 16th Street as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 4085

Resolution approving and confirming the appointment by the Mayor of M. J. Begis as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Michelle Madoff:

Mr. President, I would like to point out that there is not one woman on that Committee.

The Chair:

Make that a matter of record Mr. Perry.

Mr. Givens:

Mr. President, I'm interested if we have background on all these people?

Mr. Perry:

We Have, I will make copies and pass them out.

Mrs. Masloff:

Are these all new people?

Mr. Stone:

Some as new, some are not.

Mr. Stone moved that the appointments be held for two weeks.

Mr. Coyne seconded the motion

Which motion prevailed.

Michelle Madoff:

Mr. President, one of the members of the other side of the floor brought to my attention an article, June 14, 1916, "Saw Mill Run Health Menace Will Be Cleaned Up By Council".

The Chair:

1915?

Michelle Madoff:

1916. I did a little investigating this weekend.

The Chair:

You mean since 1916 none of us died from that mess at Saw Mill Run?

Michelle Madoff:

It is my concerted opinion after consulting with a number of research people, that in addition to what the City can do to solve the problem within the City proper, so that we dont have at least, flooding, with the

waste, the garbage and the feces which has ecoli infection, that what we have to do is turn this over to you, Mr. President, as Chairman of the Board of Alcosan, and to Mr. Bulls and Mr. Creehan.

It appears that the only ay we will be able to resolve this problem, since there doesn't appear o be the kind of federal dollars we need, would be to turn it over to Alcosan, because only Alcosan has the taxing powers to tax those impacting on the City. Now while Saw Mill Run may not run through every community, every community is subject to disease, infection, or any epidemic that might be caused by that open sewer. We all have an interest in seeing that that situation is corrected. 1916, it reminds me of our transportation studies, I think they go back and they have been quite costly.

I would like to make a motion that we either have Mr. Creehan and the Board meet with Council, or that somehow we meet or are invited to a Board meeting, but we must push for Alcosan to take this responsibility.

I have heard that the Mayor has already gone to Alcosan and that they have said, no, they don't want it. Is that true, or not true, do you know about it?

The Chair:

That is not true, they are still trying to work something out, but it doesn't look too good.

Michelle Madoff:

Well, it better look good, we'd better find some answer because they have the taxing power and I would like to know what impact it would make on the community at large, meaning the County, I believe it would not be a significant amount over a period of time on a bond issue, maybe we are talking about a dollar increase. I don't know, if that is per month or whatever, but we need that informaton and I think it is incumbent. Certainly, as two Members of Council sitting on that Board, to not be responsible or to think in terms of the numbers of people that have come here, Mary Coyne, other people.. crying for help long before I got to Council, and you are in a position to try to do something and I urge you to do so.

Now, I'm willing to be patient until the first of the year, I don't really have much choice because the next three weeks will be a little busy, and then after that we go into budget, but I can assure you, I have already engaged an attorney, and we are meeting with the Chamber of Commerce of the Elliott area, the Overbrook area, and any other areas involved and we are going to take a cease and desist action.

Mr. Bulls:

Mr. President, in this situation, it seems to be a situation where I am wearing two hats. The first of the year I will not be here, so I suggest that we bring in – and you know as well as I know, the reason that Alcosan has not been able to help the people in the West End, it is not the act that they do not want to do it, but it is the cost. If I am not correct, I think some of the cost ends up something like \$40 Million, am I correct on that Mr. President?

Michelle Madoff:

I think it is \$80 Million.

The Chair:

From \$80 Million to a half of a billion.

Mr. Bulls:

And the other side of that is I don't think you can, and I might be wrong, I don't think you can repair one part of that system and charge people who are on the other side who are not using that part that is not being repaired for them. So, I suggest, if it is all right, if we are going to have Mr. Creehan, I'd appreciate it if we would have Mr. Creehan and the Board here while I am a Member of this Council, not after I am gone.

Michelle Madoff:

I think that is an excellent idea Mr. Bulls, and I appreciate it and what I would like, if you would so request for me, since you are a Member of that Board, what they anticipate if they did an assessment of the County – what is the population, a million something? And they have that taxing power, that is a fact, they have that taxing power, what would the increase be?

Mr. Bulls:

I don't know what you mean by taxing power?

Michelle Madoff:

The City cannot tax outside the City. Alcosan can tax outside the City.

Mr. Bulls:

We bill on a usage rate if I'm not mistaken, we don't have a –

Michelle Madoff:

I believe you can go to bonds for repairs and development and maintenance. I don't know, I want to find out where we are at. I'll have our attorney here that day.

Mr. Bulls:

Okay. I'm just saying that we have no taxing power.

Michelle Madoff:

You have an assessing power to charge for your service.

Mr. Bulls:

That is true, but we have no taxing power.

Mechelle Madoff:

Well, what do you do when you build another line or when you take in or extend your systems? Or you build an addition to your systems, those are construction dollars, that is not usage dollars, you must have some justification, or some mechanism for charging that.

Mr. Bulls:

I'm also not certain on this, but I'm not sure that you can start on the West End, to repair the West End and assess the entire system. I don't think you could. I would need a legal opinion on that. Does that sound like it makes sense to you Attorney Stone?

Michelle Madoff:

Well Mr. Stone should certainly have a

at interest in this, he sits on the Board of SPRPC and I know he is concerned about the Saw Mill Run problem and frankly, I don't want to hear about how it can't be done, I want to find a solution.

Mr. Coyne:

Mr. President, I think what we ought to do is do what we attempted to do a couple of weeks ago. We sat down with the people from Alcosan and I think what we ought to do is the next Friday morning that we can, have them here in Council, Director Creehan and Lou Gaetano from Public Works and air the whole problem. The first Friday morning that we can schedule that at 10:00 in Council Chambers.

Michelle Madoff:

And that would be on a regular agenda item.

The Chair:

I, like Mr. Bulls am wearing two hats and it is rather difficult to get into this situation because we have been trying for years to work something out, long before I was on the Board. The big problem, as you know Mr. Coyne, at the meeting, is that no one has control over the amount of sewage that is put into that system by the communities that it is serving. Therefore, the City doesn't have the power to stop them, and neither does Alcosan or anyone else and that is where the drawback is. The day somebody can come up with a plan as to how you can regulate what goes into that system and who puts into that system is the day you can start licking the problem. Until then you are going to have a problem.

Mechelle Madoff:

Well, that's 1916 and I don't want to wait until the 2016, and I think that we all have a responsibility to resolve it.

The Chair:

Well, I haven't heard of any deaths related to that system since 1916.

Mechelle Madoff:

How do you know there haven't been any, how do you know that somebody didn't

come down with some kind of a virus infection that wasn't related?

Mr. Givens:

Mr. President, back in 1916 there were not 16 municipalities as we have today, I'd appreciate it if Mr. Perry, when we have this meeting you would invite the appropriate people from the 16 municipalities that feed into the Saw Mill Run area. I think if we are going to tax anybody we're going to have to do it jointly.

The Chair:

Dick, not 1916, but 1925, nine years from that date is when the agreement was originally signed and that is what you are locked into, a 1925 obsolete agreement that the City cannot get out of. Until the City can get out of that agreement, it is going to be a problem, no one, Alcosan, or anyone else and not going to solve that problem.

Mr. Givens:

Was it not Director Ruff who indicated that we should just do what we want to and that system we can just stop it, but of course, the water is going to back up someplace.

The Chair:

We used to say in my day, that Director Ruff is full of prunes, okay? I said it while he was here and I'll say it when he is gone.

Mr. Coyne:

Mr. President, do you think we could arrange that kind of a meeting? One where we could have the appropriate people here on the first Friday morning that is available. Have the Alcosan engineer and Mr. Creehan and people from the City Public Works Department and Council -

Michelle Madoff:

Why on a Friday, Bill?

Mr. Givens:

And the 16 municipalities.

Menhelle Madoff:

Why not a Thursday?

Mr. Coyne:

Well, because Thursdays and Tuesdays are booked up with public hearings.

Michelle Madoff:

Well, this would be, in essence, somewhat of a public hearing under the Sunshine Law, anybody could come and I would hope that we would also invite people like Mary Coyne, Overbrook Community, people of a real vested interest in this to hear what is going on.

Mr. Givens:

Mr. Perry, I would like for you to send, if you would, as the Chief Clerk, to the President, a certified letter to each of these 16 municipalities. So, I am going to find out, if they don't show up that they have received a certified letter from the City of Pittsburgh asking them in conjunction with us, to look into this thing and have other representatives. Also, if we are going to do something, why don't we get some of our Congress people here and from Senator Heinz's position. We may as well get them all in, because it is going to take that kind of effort in order to do something on that Saw Mill Run. Its out there, it is biting us on the hind end every time something happens and I think we should do something about it. It is a continuous growth that we are going to have until we do something about it.

The Chair:

Dick, there are millions of dollars in federal monies available out there and for some reason or other, nobody seems to know how to go out and get it or what to do to get it. This has been an eternal problem. Alcosan has been accusing the City and the City has been accusing Alcosan. Obviously everyone would like to correct the problem, I don't think anybody in his right mind would want to see it continue.

Mr. Givens:

This is what I am saying, I think it is going to take a City, a County, a State and a Federal effort to do what we have to do out there and get monies from all sources if we are going to update that particular system. And then, can Alcosan even absorb what we are going to be taking in? Let them come into

the satellite site that they might talk about and Jimmy is talking about \$80 Million dollars here and I have to agree, but we are going to stop major developments throughout the whole area. The South Hills of Pittsburgh is one of the few land masses that we have open that people want to live in right today, and they are building new houses all over that area out there and they are going to continue to build.

The Chair:

Maybe the thought that Alcosan should have a baby instead of Alcosan II is correct.

Michelle Madoff:

That was Foerster's edea 10 years ago.

Mr. Givens:

I don't put the blame on Alcosan, I think Alcosan is just the receiver of it, I think it is the total problem of our State Legislators, our Congressmen, our own County Commissioners and this body right here.

Michelle Madoff:

They ought to be here too, how about out County Commissioners? But more important, SPRPC, the Planning Agency, and incidently, Mr. Cosentino who will be here Wednesday, is supposed to be their leading expert in this area, maybe we ought to have him at that meeting.

The Chair:

I thought Mr. Stone was.

Michelle Madoff:

Well, he is on the Board, he has a great interest, but the expert is Mr. Cosentino, and also, how about --

Mr. Givens:

Above all, let's get our Mayor in.

Michelle Madoff:

That would be novel. How about having the head of the Board of Health for the State of Pennsylvania and Allegheny County.

I have one more point, I think all of us

received and maybe nobody read it, because I just got it 10 minutes before we came in -- information from K. Leroy Irvis, out of the United States Department of Commerce, Bureau of Census, and I had prior to this cut out an article from the New York Times about the upcoming census and the impact that would have on our dollars in the community. He has invited us to be at a hearing October 18th at 1:30, I guess that is in the Gold Room, but I would also respectfully request, could we get some feeling from our Fiscal Officer, from Mr. Donahoe, what impact on dollars, I don't think we can become a third class city now that we are a Home Rule city. Does anybody have any reading on that: I think that pre-empts us from being re-classified a third class city, but I understand our population will drop to 420,000.

Mr. Givens:

No, we will still be a city of the second class.

Michelle Madoff:

We will still be second class? Okay, well, I would like to know what kind of feelings we have before we go into budget, if indeed that is the number, what kind of dollars we might stand to gain or lose, and I think that would be important before budget hearings to us. Mr. Stone do you have any feelings on that?

Could we request that then?

The Chair:

Yes.

And on the motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, October 22, 1979

No. 42

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, October 22, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

ABSENT Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presented

No. 4086 Resolution amending Resolution No. 1332 approved November 27, 1978 effective November 30, 1978, entitled, "A resolution providing for a Contract or Contracts for the installation of traffic signal poles and foundations in various locations,

PW 77-18, and PW 78-17; and providing for the payment of costs thereof", by inserting the words, "or to use existing contracts."

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 4087 Resolution authorizing the issuance and payment of a Semi-Final Estimate to Sofis Company, Inc., in conjunction with the Reconstruction of the Elizabeth Street Bridge over the B & O Railroad, between Lytle Street and Second Avenue, and other work incidental thereto, Controller's Contract No. 23546 and 23546-F, and reducing the retainage percentage from 10% to 1%.

Which was read and referred to the Committee on Finance.

Also.

No. 4088 Resolution further amending Resolution No. 675, effective August 19, 1976, as amended by Resolution No. 747, effective August 16, 1977, as amended by Resolution No. 1020, effective October 27, 1977, as amended by Res. No. 4, effective January 31, 1978, as amended by Res. No. 725, effective June 30, 1978, as amended by Resolution No. 827, effective August 3, 1978, as amended by

Resolution No. 1333, effective November 30, 1978 as amended by Res. No. 21, effective Jan. 17, 1979 by Res. No. 273, effective March 29, 1979, as amended by Res. No. 531, effective June 17, 1979, entitled "A Resolution providing for the filing of an application by the City of Pgh., with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account", by redesignating officials authorized to execute payment vouchers on Letter of Credit in connection with subject project.

Also

No. 4089 Resolution granting unto Allegheny County Industrial Development Authority, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Fort Duquesne Boulevard at Barker Place in the Second Ward of the City of Pittsburgh.

No. 4090 Resolution providing for an Agreement or Agreements for the Design of Warrington Avenue Reconstruction (PW 78-06); and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 4091 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting reimbursement of \$142.00 for expenses incurred while attending a meeting in Washington D.C., October 11, 1979, regarding Rail Deregulation, chargeable to and payable from C.A. 1052, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4092 Resolution providing for the issuance of a warrant of Surfway Asphalt Paving Co., 881 Flemington St., Pittsburgh, PA, 15217, in the amount of \$2,300.00 in payment for the demolition and removal of the 3 story frame dwelling and 1 story iron clad garage located at 843 Inwood St., 12th Ward, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 4093 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Administration, Chapter 905, Permits and Certificates, Section 905.06 ENFORCEMENT AND PENALTY, by increasing the fine from \$300.00 to \$1,000.00 for each and every violation.

Also

No. 4094 An Ordinance amending the Pittsburgh Code, Title Ten, Building, Article I, Administration, Chapter 1.07, Enforcement, Inspection and Penalty, Section 1007.20, VIOLATIONS AND PENALTIES; ABATEMENT ACTIONS, by increasing the fine from \$500.00 to \$1,000.00 for each and every violation.

Also

No. 4095 Resolution providing for a Supplemental Agreement or Agreements between the City and the Urban Redevelopment Authority of Pittsburgh amending the Industrial Land Reserve Fund Cooperation Agreement and by providing an additional \$650,000.00 for property acquisition.

Also

No. 4096 Resolution authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with Hammer, Siles and George Associates for the Food District Development Study at a cost not to exceed \$25,000.00.

Also

No. 4097 Resolution amending Resolution No. 697, approved August 7, 1979, effective August 10, 1979, entitled "Resolution providing for an Agreement or Agreements, with the East Liberty Chamber of Commerce in connection with a Commercial Revitalization Program for the East Liberty Mall Area," by changing the other party to the Agreement to East Liberty Development, Incorporated.

Also

No. 4098 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Wilma Jean Woodward Scott for the sale of Parcel 80 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 4099 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Linda G. Starkey for the sale of Parcel 78 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also

No. 4100 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John A. Turner for the sale of parcel 6 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4101 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jennifer Jones for the sale of Parcel 117 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4102 Resolution approving a form of contract for the Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Philip J. Ventura for the sale of Parcel 233 in the 21st

Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4103 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Thomas D. Figulski and Andrew J. Brown for the sale of Parcels 244A and 244B in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4104 Communication from Edward deLuca, Director, Department of City Development requesting permission for himself to attend Council for Urban Economic Development Conference, Chicago, IL, November 11-13, 1979, at a cost not to exceed \$450.00, payable from C.A. 1900-1, Miscellaneous Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4105 Resolution providing for a License to Equitable Gas Co., for the installation of a four-inch pipeline on City property known as Spring Garden Playground, 24th Ward.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Robinson presented

No. 4106 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$9,045.21 for chemical alum to be used in Water Treatment Plant, funds are available in Code Account 1750, Chemicals, Department of Water.

Also

No. 4107 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$16,060.75 to General Motors Corporation for emergency repairs, funds available in Code

Account 1150, Outside Repairs - Contract, Department of Supplies.

Also

No. 4108 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$4,196.63 to IBM Corporation for the purchase of Selectric Composer Typewriter for printing office acquired on lease purchase agreement, Capital Trust Fund SD 78-02.

Which were severally read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 4109 Resolution further amending Resolution 1589 of 1978 effective January 1, 1979 entitled "Resolution adopting the 1979 Capital Budget, allocating and setting aside amounts in connection therewith, creating Capital Funds; transferring Bond Funds to said Capital Funds", by creating a new line item.

Also

No. 4110 Resolution authorizing an agreement or agreements with Coopers and Lybrand for professional services in connection with the implementation of an automated accounting and reporting system for Capital Funds and Community Development Funds.

Also

No. 4111 Resolution authorizing an agreement or agreements with On Line Systems, Incorporated for professional services in connection with the implementation and operation of an automated accounting and reporting system for the Capital Funds and Community Development Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also

No. 4112 Resolution providing for the issuance of a \$882.03 warrant to Duquesne Light Company in full settlement of claim for damage; and providing for payment thereof.

Also

No. 4113 Communication from David Donahoe, City Treasurer submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of September 30, 1979,

Which were read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 4022

Resolution approving and confirming the appointment by the Mayor of Richard M. Cosentino as Director of the Department of Water.

Which was read.

The Chair:

This very important vote is to confirm or deny approval of the Water Department Director, I would like to wait because Mr. Lally said he is on his way in and Mr. Stone said he may get here, but Mr. Lally will definitely be here shortly. If there is no objection on the part of the Councilmembers I think we ought to wait until Mr. Lally gets here.

Michelle Madoff:

How many votes do we need Mr. President?

The Chair:

We need five. I could ask a question, if there is anybody on the floor who feels so inclined to vote against the confirmation that they let me know now, this way, if there are none, then we can go ahead with the vote. We

don't need over five votes.

Mr. Robinson:

Point of information, Mr. President, perhaps the Parliamentarian can answer this question, if we were to reject Mr. Cosentino, pursuant to the Home Rule Charter, can he still serve as acting Director?

The Chair:

No.

Mr. Robinson:

He cannot?

The Chair:

With Mr. Miller and Mr. Kennelly, it was a re-confirmation, this is a confirmation, if he is not confirmed he cannot serve.

Michelle Madoff:

Mr. Lally is here now.

The Chair:

If I may, before we have the vote, I just discovered that Mr. Cosentino either was a Republican, or has just become a Democrat. I talked to the Mayor and the Mayor said he was not aware of this when he submitted his name and he talked to Mr. Cosentino and he said he would register as a Democrat.

For the members of the Press, I just feel that it is just not quite proper for the Democrats on City Council to be approving a Republican, there are enough Democrats out of work who need jobs. Apparently, Mr. Caliguiri has the word of Mr. Cosentino that he has changed or will change his registration, therefore I will vote "aye."

Michelle Madoff:

May I comment — that is a point of personal privilege that you have a right to feel as you do and to vote as you do, but when I get calls at my office, and I'm sure that other people including yourself, are called about a complaint, and it is a valid complaint, we don't ask either if they are a Democrat or a Republican, or even if they voted in the last election. Because I've had people after we've

taken care of problems saying, "I really appreciate this, I'm not even a registered voter," and I think it is more important to get somebody qualified.

The Chair:

Michelle, you and I and everyone here are elected officials and we represent the entire City of Pittsburgh, but when a person is presented for any position in the City of Pittsburgh, I honestly think they should be a Democrat, that is my personal opinion and I don't care who knows. It doesn't make sense for us to be promoting and giving jobs to Republicans, because if we had a Republican regime, they wouldn't be giving any jobs to Democrats and you'd better believe that.

Michelle Madoff:

I understand your position—

Mr. Givens:

I will go on record, Mr. President, if I knew he was a Republican, I wouldn't vote for him.

The Chair:

And I don't think some other members of Council would. But, in all fairness, the Mayor said he wasn't aware that the man was registered Republican.

Michelle Madoff:

The point I am making is that I think Council has a responsibility to vote for the most qualified person and when I heard this gentleman's name, I checked him with about six different sources, people who did not want to speak, who talked to me off the record, I heard good and bad, I checked out a number of people. It is my opinion that this gentleman is probably one of the most qualified people in the area and I don't think we should be looking at anything but his qualifications and I think we have to do that across the board.

The Chair:

That is your opinion, you are entitled to it and I am entitled to mine.

Michelle Madoff:

That's the first good thing we've said to each other in a long time.

Mr. Robinson:

Mr. President, some time ago the issue of Chief Kennelly and Mr. Miller was brought before this Council, relative to their being confirmed. At that time this Council chose not to confirm them but they were able to stay on as needed in their present capacity. Mr. Miller has since gone and I assume that that situation, or the question is moot around him. Chief Kennelly is still serving as Chief of our Fire Department, the reason I raise this concern now is that Mr. Stone and myself and some other members of Council raised the concern as to whether or not that issue should not be resolved, if for no other reason, than to maintain the integrity of both Mr. Miller and Chief Kennelly, as to whether they were going to be confirmed or rejected or stay with the Administration or not stay.

The issue of Mr. Cosentino, I feel, raises again, this problem of persons who are presented to us by the Administration, and where we exercise our option, where we exercise the option to accept them there is no problem, but when we exercise the option not to retain someone and they stay on the job, then I think we have a problem. If we allow this to go on without coming to some sort of mutual agreement. The question asked by Mr. Stone, did our City Clerk investigate the legal status of that situation. We have not had a report back and it would seem to me that we need to clarify the air on that matter — where we stand, so that if this situation arises in the future, that we don't have to perhaps have a harsh interchange between the administration and Council relative to what perhaps is the legal or procedural matter.

Thd Chair:

That is a very good point Mr. Robinson, I wonder myself how long they are going to stay on as needed. We know that they resolved the Director Miller situation, but Chief Kennelly is still serving.

Michelle Madoff:

It might be interesting to know how

many members of Council either knew that he was a Republican and how many would have changed their votes. I understand that several members of Council were aware and others who were aware didn't care or wouldn't have cared if they had knowwn. I think it is important that it doesn't become a dialogue that you and I have a difference of opinion.

The Chair:

Is there any further discussion on the appointment?"

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Nones	none
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And a majority of the votes of Council being in the affirmative, the appointment was approved.

REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 4114 Report of the Committee on Finance for October 17, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3896

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ransom Construction Company, in the amount of \$200 00 for extra work in connection with the relocation of an overhead door at No. 53 Engine Company, Essen and Gilcrist Streets, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3990

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko & Son, Inc., in the amount of \$8,283.00 in payment for work performed at Cowley-Goettman Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3991

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$14,200.00 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3992

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko & Son, Inc., in the amount of \$2,290.00 in payment for work performed at Phillips Park Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3993

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$14,070.00 in payment for work performed at Cowley-Goettman Swimming Pool, furnished for the benefit of the City

without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3994

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko & Son, Inc., in the amount of \$6,850.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3995

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$100,000.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3996

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Company in the amount of \$10,095.90 in payment for work performed at Banksville Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

also,

Bill No. 3997

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ram Construction Company in the amount of \$2,900.00 in payment for work per-

formed at The Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3998

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko & Son, Inc., in the amount of \$5,341.00 in payment for work performed at Homewood Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3999

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko & Son, Inc., in the amount of \$1,844.08 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4000

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Robinson Pipe Cleaning Company in the amount of \$600.00 in payment for work performed at Schenley Park Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 4000, it has come to my attention, somebody in the Public Works Department, that they went down 20 feet at the Schenley Park Swimming

Pool and found that there was never a sewer there. Mr. Coyne, do you know anything about that?

Mr. Coyne:

I know that the designer had trouble, whoever had the design contract had trouble—they were having trouble with the sewer and when they put the sewer line in I understand that the water was trying to run up instead of flowing out.

Michelle Madoff:

Well, the information I have is that we only got half of the picture. I think we ought to check it, have somebody from Public Works here, perhaps Lou Gaetano or someone, maybe at a post agenda in the near future. It seems they went down 20 feet, there never was a sewer, the sewer had been useless for years, they just didn't have a sewer. I don't think we were told that. I just happened to be having dialogue about some of the problems and that came out.

Mr. Coyne:

I know our engineer went out and checked on it several times, so maybe he could fill you in.

Michelle Madoff:

Did you know about it? Was it announced in Council, were the other members of Council aware of this problem?

Mr. Lally:

Oh, yes, it was brought up at Council.

Mrs. Masloff:

We didn't discover it until after they started, they rectified it.

Michelle Madoff:

I knew we had a problem with the run off from the water, but my question is, what is happening with that sewer now?

Mr. Coyne:

I think they are trying to get the sewer together so that they can let the water out of the pool.

Michelle Madoff:

You say it's in good shape.

Mrs. Masloff:

That is what they told me.

Michelle Madoff:

I wasn't aware that — I knew we had problems, everybody in Council knew we had problems with that pool, what I am trying to find out is are they building a new sewer? We knew we had to have some pipes leading out, but this bill is on cleaning pipes.

Mr. Coyne:

Well, maybe Eddie can tell us.

Mr. Lally:

This has nothing to do with the sewer.

Michelle Madoff:

Right, and I just wonder—Bill just said they can't let the water out until the sewer is built, I just want to make sure everything is all right there.

Mr. Albert:

Well, the consultant that was hired didn't have the correct location of the sewer because nobody has the exact location, but the sewer is out in Schenley Park. The pool is connected to the sewer at a depth higher in elevation than the thing actually was.

Michelle Madoff:

How much higher?

Mr. Alberts:

Seventeen feet.

Michelle Madoff:

So, I wasn't wrong, you know it looked like maybe I wasn't listening in Council, but this was sort of a blow to me, I knew we had a sewer problem, I knew we had a pipe problem, but I didn't know they went 20 feet and didn't have a sewer.

Mr. Alberts:

Well in order to drain the pool, they had to re-construct a new sewer about 125 feet and it cost them about \$20,000 or \$30,000.

Michelle Madoff:

Is it all done now?

Mr. Alberts:

It is done but nobody knows whether the old sewer that is connected to it is operating properly. That's the reason the pool hasn't been drained to date.

Michelle Madoff:

When will we find out if it is operating properly.

Mr. Alberts:

When they drain the pool.

Michelle Madoff:

Don't let the baby out with the water, is that how it goes?

It just seemed from the comments that were made to me that the people knew that we were all aware of what had gone on at the pool and I thought this was another dimension and I wasn't sure and I thought I ought to raise it.

The Chair:

I feel sorry for anybody who is in that pool when they pull the plug.

Also,

Bill No. 4001

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Domino, Inc., in the amount of \$910.60 in payment for work performed at Frick Park Nature Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No 4011

A Resolution entitled, "Resolution providing for the issuance of Three Hundred Fifty-Five Dollars (\$355.00) warrant to Laird G. Hayes for stenographic reporting services in connection with Commission on Human Relations public hearing, without previous authority of law, payable from Code Account 1035, Miscellaneous Services, Commission on Human Relations."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4023

A Resolution entitled, "Resolution transferring the sum of \$5,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police, to Code Account No. 1446-1, Investigation Expenses, Department of Police."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented:

No. 4115 Report of the Committee on Public Works for October 17, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3976

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Reconstruction of Robert McAfee Bridge (PW 79-14); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Which was read.

Also,

Bill No. 3977

A Resolution entitled, "Resolution granting unto Parkvale Savings Association at 3530 Forbes Avenue, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, a wheelchair handicapped ramp on a portion of the sidewalk of Meyran Avenue in the Fourth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3978

A Resolution entitled, "Resolution fixing and refixing the width and position of the roadway and sidewalks, and re-establishing the grade of Alcor Street from River Avenue to General Robinson Street West in the Twenty-Second Ward of the City of Pittsburgh as shown on Drawing Accession No. C-2570 and C-2571-17-6-7 on file in the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4116 Report of the Committee on Planning, Housing and Development for October 17, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3924

A Resolution entitled, "Resolution providing for an agreement or agreements with the United Black Front for the renovation of the interior and exterior of the existing facility located at 2161 Wylie Avenue, 5th Ward, City

of Pittsburgh."

Which was read.

Also,

Bill No. 3981

A Resolution entitled, "Resolution amending Resolution No. 472 of 1979 by clarifying the term 'bond component', and by making certain budget line item changes."

Which was read.

Also,

Bill No. 3982

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with Arthur Young and Company/Terry and Company for auditing services in connection with the close-out of the Model Cities Program, and increasing the amount from \$10,000 to \$10,500."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. DePasquale

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4117 Report of the Committee on Supplies for October 17, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4008

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 17 police sedans, less trade-in, for the Department of Police, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr.s Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally)Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 4118 Report of the Committee on Parks and Recreation for October 17, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4002

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Baltimore and Ohio Railroad Company in connection with an underground 5-inch steam and 2-1/2-inch condensate pipe line, together with the appurtenances thereto, at station 7797 plus 68 on the P&W subdivision, Pennsylvania Division, Pittsburgh, Pennsyl-

vania for the steam and condensate lines between the Bellefield Boiler Plant and the Phipps Conservatory; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Bulls presented

No. 4119 Report of the Committee on Public Safety for October 17, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3972

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County for training of thirty six (36) City police recruits; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3973

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County for training of thirty nine (39) City police recruits; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

I would just like to have my comments from the other day included into the minutes, the comment particularly was my asking Superintendent Coll whether we would be gaining or losing in the number of police and he said that we would be losing because there would be more leaving by attrition than the numbers we would be gaining by police—my own personal belief, I've become a convert after a year, is that we need more beat policemen and I think we'd better start, in the budget, looking towards some mechanism for assuring that we have more police next year.

**MICHELLE MADOFF'S REMARKS FROM
THE MEETING OF WEDNESDAY, OCTOBER 17, 1979:**

Michelle Madoff:

How much attrition did we have during those two classes?

Superintendent Coll:

We lost more than we put on.

Michelle Madoff:

Did you hear that? Did everybody hear that? We had more attrition than what we put on, so we gained nothing. As a matter of fact, we lost.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably

to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	
Ayes 8	Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4120 Report of the Committee on Lands and Buildings for October 17, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3987

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)
Ayes 8	Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

Bill No. 4121

Communication from Mayor Richard S. Caliguiri submitting the name of John C. Busse of 1575 Noblestown Road as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read, received and filed.

Also,

Bill No. 4122

Resolution approving and confirming the appointment by the Mayor of John C. Busse as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read.

The Chair:

The gentlemen will be in for review this coming Wednesday.

Michelle Madoff:

Are these the 12 that are coming before us on the Building Code and Fire Code?

Mr. Perry:

That is correct, this will be the thirteenth.

Michelle Madoff:

This will be the thirteenth, how many are there to be all together?

Mr. Perry:

I believe fifteen.

Michelle Madoff:

Fifteen—do you think he might be able to find a woman? I think one of the prerequisites is, "someone who lives in a house."

The Chair:

When you say "house," what kind of a

house are you talking about?

Michelle Madoff:

Mr. President, it is not a laughing matter, we women resent twelve people, all men, being recommended by the Mayor for this Board and not one woman being recommended. I realize that they are locked in by restrictions saying, "the Engineering Society is to nominate a man", the Construction Society is to nominate a person", but there is not one pitch by our Mayor to say there should be a woman. I told him, I sent a message, the last time we voted for Magistrates, when we voted for three men, that the next Magistrate would be a woman or I would picket his office. I'm going to picket his office on this if we don't have at least one or two women on this board, and I'm not joking about it. He doesn't have one woman on his own cabinet.

The Chair:

I think our sentiments are with you Michelle, at the same time we are powerless other than to reject them.

Mr. Givens:

I'd say all those people working in behind the cages down there in the Traffic Division and the Traffic Courts and the Courts of the City of Pittsburgh, I'd say we ought to get some men in there if that is the case, because as I have noticed, I think they are all women, with the exception of one.

Michelle Madoff:

I second the motion. All we ask is equal time and equal representation.

The Chair:

This is almost as bad as my house, I did everything but have the babies.

Also,

Bill No. 4123. WHEREAS the Pittsburgh Pirates, after a lapse of eight years, have won the National League Baseball Championship and the World Baseball Championship; and

WHEREAS, these achievements have

brought honor and acclaim to the City of Pittsburgh in the field of sports; and have made the world aware of the face that we ARE family; and

WHEREAS, the Pittsburgh Pirates are deserving of recognition and commendation of the public officials of their City;

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of our great City extends to the players, the manager, the coaches and the management of the Pittsburgh Baseball Club, their congratulations for winning the National League Baseball Championship and the World Baseball Championship in 1979 and sincere appreciation for the credit which these accomplishments have brought to this City.

Which was read.

Mr. Robinson moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

Officially we adopt the FAM-IL-LEE.

Michelle Madoff presented

Bill No. 4124. WHEREAS, the citizens of Pittsburgh provide financial support to many of the City's recreational facilities through taxation as well as through regular admission fees; and

WHEREAS, studies have indicated that over two-thirds of the patrons of the Pittsburgh Zoo, Phipps Conservatory and the Aviary are County residents, yet, the brunt of the financial burden falls upon the residents of Pittsburgh; and

WHEREAS, presently there is no system which distinguishes residents of Pittsburgh who use tax subsidized facilities from non-resident patrons; and

WHEREAS, a fair and equitable system should exist to lessen this financial burden

presently imposed upon the citizens of Pittsburgh.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the Administration to develop a system which would identify citizens of Pittsburgh in order to provide them with a discount rate at certain recreational facilities such as the Pittsburgh Zoo, Phipps Conservatory and the Aviary. One possibility of implementing this system is to provide the residents of Pittsburgh with a questionnaire (possibly attached to a water bill or tax statement) requesting them to complete and return and to the City for the purpose of constructing a resident identification card.

BE IT FURTHER RESOLVED that this Council urges the Administration to raise the cost of admission to these and other facilities so that non-City residents will help to defray the deficits incurred by the City taxpayers.

Which was read.

Michelle Madoff moved for adoption

Mr. Robinson seconded the motion.

Mr. Lally:

Mr. President, I was just handed this during the meeting, I would like to question the legality of this and I would like an opinion from our legal department before I'd vote on this.

Mrs. Masloff:

I want to point out that on a good day in the summertime, they have some 5,000 to 6,000 busloads of kids at the zoo. One of the biggest days they had was August 5th at which time they had 6,000 people, mostly children, come to the zoo. Now, if you are going to hold up those 6,000 children until they produce some identification, you'll have traffic lined up all the way to town. Now, this is not anything new, Louise tells me this has been tried many times before, it is impossible at the zoo. I can't speak for the other places, but they can't keep 6,000 kids getting off the busses waiting to produce identification which they don't have and cannot

produce.

The Chair:

I think Mr. Lally's question is very much in order. I can recall Mr. Lucchino, when he was on Council, this was a pet peeve of his also, for years. For some reason or other he just couldn't seem to do it and one of the reasons is the one you gave just now, Sophie, it is rather cumbersome. Could you bring us up to date? Would this be legal for the Administration to do this Vince?

Parliamentarian:

I suggest that Council discuss this with the Law Department.

Mr. Lally:

Yes, that is what I requested.

Michelle Madoff:

May I respond to that Mr. President? The reason that it was drafted as a resolution and not as an ordinance is that it would be the intent of Council to look into the feasibility and then we would address the legalities, otherwise we would have done it as an ordinance.

The Chair:

We understand that you are urging the Administration to do this. I don't think there is anything wrong with the resolution at all.

Mr. Lally:

I would like to have an opinion from the Law Department, Mr. Perry.

The Chair:

Mr. Lally has requested an opinion. It would save us time by saying that if it is not legal there is no use even urging the Administration to do this. But, I don't think there is any problem in doing this.

Michelle Madoff:

May I also comment that those 6,000 children getting off the bus have to have a

ticket, they have to buy a ticket, is that correct Sophie?

Mrs. Masloff:

No, that is all taken care of.

Michelle Madoff:

Do they just come in free?

Mrs. Masloff:

No, they come with organizations.

Michele Madoff:

And the organizations buy tickets?

Mrs. Masloff:

Not always, no.

Michelle Madoff:

How do they get in?

Mrs. Masloff:

They make previous arrangements.

Michelle Madoff:

When they make previous arrangements and they live out of the County, then they will pay more than the people making previous arrangements than the people who live in the City.

Mrs. Masloff:

Some of them come on busses that pay fares for them and they have made arrangements, but it is impossible to check 6,000 children.

Michelle Madoff:

Nothing is impossible. Sometimes difficult, nothing is impossible. And with a \$400,000 deficit last year at the Zoo, I haven't got the figures for this year, I'm sure it is higher, I don't know what the Aviary is, I don't know what the Conservatory is. We had Mr. Molyneaux here representing the three Commissioners and may I remind members

of Council that last year the County had a \$12 Million surplus and we had one hell of a deficit and it going to be bigger this year and if we sit here as members of City Council, then we must be thinking about running for County office, unless we do something.

Mr. Lally:

Point of order, Mr. President, I asked for an opinion from our Law Department.

Mr. Coyne:

Mr. President, I think what we ought to do is give this legislation a bill number, put it in committee and have the Director come up and respond as to whether or not she feels she could carry it out.

Michelle Madoff:

She has already done that and I question what she has answered. I don't believe that you can't work it out. True, if you have 6,000 people hitting the door at once and if they were not buying tickets and they had to stop somebody, that is one thing. This is nonsense that we can't do it.

The Chair:

Allright, if Mrs. Madoff doesn't want to withdraw, then let's vote on it.

Mr. Lally:

There is a motion and a second Mr. President, to refer it to the Legal Department.

Michelle Madoff:

And there is another motion to have the Director up, I believe.

Mr. Coyne:

Yes, maybe we could assign this a bill number and have the Director come up and respond to it.

The Chair:

Mrs. Madoff doesn't want to do that.

Michelle Madoff:

No, that is fine with me, but I would point out to her that I think her answer was not previously satisfactory and she should change it.

Mr. Lally:

Well, it didn't suit you, so it is not satisfactory, that is what you are saying.

Michelle Madoff:

Well, that's right or I wouldn't be introducing this bill.

The Chair:

Do you withdraw on the resolution?

Michelle Madoff:

I don't really have much alternative, I'll put a number on it as Mr. Coyne has suggested, does that mean it stays in?

Mr. Coyne:

Yes.

The Chair:

Michelle is withdrawing, who made the second?

Michelle Madoff:

No, I'm not withdrawing it, if I put a number on it, I'm leaving it in.

Mr. Coyne:

The City Clerk can assign it a bill number.

Michelle Madoff:

And we just hold it, is that it?

Mr. Robinson:

Mr. President, point of clarification, Mrs. Madoff has indicated that she had no other alternative. If I am correct, she has an alternative because there is a second. If she chooses to have this voted on now, she can exercise that option, or she can follow Mr. Coyne's suggestion.

Michelle Madoff:

That is what I just moved, we give it a number and hold it.

Mr. Robinson:

Okay, because I would have to withdraw my second --

The Chair:

She is withdrawing the motion.

Michelle Madoff:

No, I am going to give it a number and we are going to hold it so it will go to --

Mr. Lally:

Mr. President, I think my motion was submitted first and I think we have to vote on my motion first.

Mr. Robinson:

No, Jim, we have to vote on her resolution because it got the second first.

The Chair:

Michelle made the motion to approve the resolution, Mr. Robinson seconded. Then, Mr. Lally requested a legal opinion.

Michelle Madoff:

And I am withdrawing my motion -- what I want to do is give the bill a number and hold it until we have the Director here to answer the question, is this a viable route to go? This is not a legal document, it is not an ordinance, it is a resolution like we honored the Pirates, or that we look into this.

Mr. Robinson:

I withdraw my second.

Mr. Lally:

I need a second on my motion for a legal opinion.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, I have an item I would like to call to Council's attention. I would like to make one last comment first, we got into this dialogue and I did want to point out why I went this route, why I introduced a resolution. Originally, our office was trying to get an enabling act. We have talked about enabling act -- last year's budget -- the reason why we can't raise the head tax or taxes to suburbanites is because we don't have an enabling act and as you know, this came up in paramedics and so on. It appears that because of the structure of the legislature, and the item that Mr. Lally and I were engaged in before and I didn't get the bill number, counting the number of representatives in the City. We have something like eight. There is no way that we could get a bill through the Pennsylvania Legislature with only eight people giving us an enabling act, it is very unlikely. That was the reason I took the route of just having a resolution of intent to review and look at something and if we deem it the correct way to go, we would then have an ordinance which would be legal and I have no objection to Mr. Lally's position that indeed we get a legal opinion in advance.

On another matter, I would like to call to Council's attention, I know you are tired of hearing it and you may find it amusing, but I don't we still have not a bathroom for the members of City Council, incidentally, all the members of staff, female members of staff, signed a petition about a year and a half ago --

Mrs. Masloff:

No, I didn't. I didn't sign it.

Michelle Madoff:

Well, you wouldn't Sophie, we understand that, you cross your legs and gargle a lot, I know.

Mrs. Masloff:

I don't think it is necessary.

Michelle Madoff:

I know you don't think it is necessary.

The Chair:

Mr. Clerk -- where are we on this --

Michelle Madoff:

I want to respond to that -- I know where we are, I want to give an answer to where we are, that is my purpose of raising it, not frivolously. It was decided by the Mayor, I went to the Mayor and I said, "You know, Mayor Caliguiri, Your Eminence, Mr. West does not listen to City Council, he works for you, and if you order him to do something about the bathroom, then maybe those women of Council and their staff who said that they would like to have a bathroom to freshen up, would so get one" and I understand you stated yourself Mr. President, long before I came to Council you were pushing for this facility and I thank you.

When I threatened to go to the Human Relations Commission at the Mayor's meeting, and I said this to Mr. West, he promptly came in with the figures that were weeks, months overdue, he is giving us some estimates. The estimates, I understand, ran from \$42,000, or \$46,00 is the first estimate, the last one was \$16,000, closer to \$17,000 and so I called a union -- Mr. Lally, a union contractor by the name of M. Stahl, I don't know what his first name is --

Mr. Lally:

Mort Stahl.

Michelle Madoff:

Mort Stahl, he was kind enough to come out here and he told me, he called me at home, I don't know who took him around, was it you Mike?

Mr. Perry:

Yes.

Michelle Madoff:

He said, in order to put the pipes in that room where you plan to put the bathroom, its something like a little over \$5,000 and if we use the laborers that work for the City, you know, our carpenters and our own electricians and so on, I would presume we don't count that as a dollar figure, do we, does

someone want to correct me on that?

Mr. Lally:

Certainly you would.

Michelle Madoff:

Well, I mean, obviously, anything we do here, they come and hang a shelf, its a dollar figure, but we are not going out to hire outside. He, incidentally, said that the whole thing should not cost over \$11,000 if he has to go and sub-contract. The word was, I'm being had. Which doesn't surprise me because when I pushed to have the 20,000 odd pieces of property that the City owns under the tax liens, the figure I got from Mr. West was somewhere between 14,000 the next figure was 16,000 and when we came in with the bill it was 20,000. For 25 years we haven't listed these properties and instead of going out and selling the 4,000 odd vacant lots, what does he do? He starts sending notices to the poor people on the Hill, giving them heart attacks that they are going to have to vacate their properties, which has a smattering of "we're gonna get her and we'll set her up again." Well he's not, because those houses can go to URA, they can be sold for a dollar on homesteading, and I think the whole thing is very, very -- I take it as a personal assault on me, I want everybody to know, when you come in with \$46,000 as an estimate for a bathroom, when it can be done for \$5,000 and city help.

The Chair:

I don't know about \$5,000, I would say the figure is closer to \$15,000.

Michelle Madoff:

Well, Mr. Stahl will do it for \$11,000.

The Chair:

\$46,000 is a ridiculous figure

Mr. Lally:

Just to enlighten Michelle, Mr. Stahl could not install that ladies room as a general contractor -- he is not a general contractor, he is a plumbing contractor and it would have to be, a general contractor would

have to be involved, Mr. Stahl could be a sub-contractor and so does the electrician and the carpenter and whoever is involved there. So if he gave you a price of \$11,000 Michelle, I think he is doing one heck of a job and that can't be done.

Michelle Madoff:

I think we would get more people doing one heck of a job for the City and at a lot lower cost if we had some better bidding procedures.

The Chair:

Well, whatever the reason, after four years, it is sort of reprehensible that we are no closer to a bathroom for the ladies than we were four years ago. Why they are kicking it around -- it is getting ridiculous. We had figures before and for some reason or other they didn't go in. I think that, personally, and I believe it is within the purview, the City employees to do that with the exception of the plumbing, making connections, and therefore, we could save some money at the same time, we have the people on board, they should be doing it. And why they haven't done it, I don't know, I have asked a thousand times Michelle, I have asked Mr. West a thousand times, it is the reason Mr. West and I have fallen out, over that bathroom.

Michelle Madoff:

Well, Mr. West has fallen out with me by coming in with those figures. Of course he fell out with me before, I think it is confidence.

Mr. Lally:

Mr. West gave you the figures that were given to him from a contractor. Let's be fair with Mr. West, he did what we asked him to do, he went and submitted the plans to a contractor and the contractor came back and gave him the actual cost, so he didn't do anything that he wasn't supposed to do as far as his job was concerned.

Mr. Robinson:

Mr. President, I have a couple of quick concerns, the first of which deals with Market Square. Some members of Council

may be aware that there is a developing problem, one that has been there for some time, relative to the attempts on the part of our Police Department to police that area. There have been numerous confrontations, some of which have gotten into the media, some of which have not, but it appears that the tension is growing and that the police in their attempt to perform their duties are having a great deal of difficulty. It would seem to me that at some point this Council perhaps needs to address that with Superintendent Coll, not necessarily at a post agenda meeting or at a hearing, but that we request some response from him as to what is the status of police activities in that area. Particularly in light of the fact that this Council has approved some redevelopment for that area and the near downtown area, areas near to Market Square also are experiencing some similar difficulty and I think they are serious enough, particularly if the members of this Council were to stroll through Market Square, that perhaps we need to begin to deal with them before it gets to major in proportion.

I also raised that concern because Market Square is used from time to time as a point at which the City has public events and public gatherings, in the daytime of course, but there seems to be a number of problems there, particularly in the evening hours and I think that the Police Department is attempting to do a very good job but I think in the process we are going to have a major conflict between the police and the citizens of this City relative to the turf on Market Square.

The other concern, I have two other concerns, one relates to our attempt to revitalize shopping centers in the inner-city. On several occasions this issue has been raised either by legislation or by members of Council, I am particularly concerned about the East Hills Shopping Center and the Stanton Heights Shopping Center. My concerns about the East Hills Shopping Center relates specifically to the act that while that Shopping Center is not in the City of Pittsburgh, at least those portions which contain shops, that a goodly portion of our City population lives in the Eastern part of the City, have depended upon that Shopping Center and I don't think there is any secret that that Shopping Center is experiencing some financial difficulty. I think it might be appropriate for

us to find out at least for Mr. DeLuca and perhaps Mr. Lurcott, what, if any, assistance we can give, or what, if any assistance we have given in response to the obvious concern of the people who have used that Center.

In reference to Stanton Heights, recently the Stanfield Proposal was brought before us and we approved the application of the Planning Department to secure UDAG Funds, subsequent to that, at least it has come to my attention, that there are some unanswered questions relative to the future ownership of that facility, the involvement of the present tenant and also whether or not any of the monies that might be available can be applied to tenant work that has to be done. Problems that tenants have experienced over a long period of time. Again, I think it would be very wise for us to try to get some answer as a Council, to these questions and concerns to see just what the status of that project is since we have at least approved the application of the money.

The third and final concern relates to the

The Chair:

Excuse me, if I may interrupt you on the East Hills Shopping Center, couldn't we apply the same rule that we applied with Stanton Heights, with the UDAG Funds and what have you, they were allowed —

Mr. Robinson:

I think the only problem is that only a very small portion of that shopping center property is actually in the City. The shops themselves are not in the City of Pittsburgh as I understand it, that is one of the complicating factors. Both the Borough of Wilksburg and the Township of Penn Hills have been aware of the problem, the situation, they have been approached. It appears the City of Pittsburgh has not responded to the concerns of the people who live in that area, particularly people who use that center, as to what we can or cannot do to assist them. I think that we need to at least get some kind of answers for them.

The third and last thing relates to the Convention Center. The Convention Center of course, has been a source of concern for many people in the City, particularly over the last year, as to when it is going to open

and what the economic impact is going to be. Both Councilwoman Madoff and Councilman Stone on several occasions, have raised the issue of some sort of hotel complex in that area.

As a member of the Auditorium Authority Board, I certainly echo their sentiments that we need to move very quickly to attempt to find a developer to develop the URA land and to bring a hotel complex to that particular community.

Hopefully, this Council will be able to go on record, perhaps by way of a resolution, that we jointly support the whole notion of bringing a hotel complex into that area as quickly as possible and that this Council will do what it can to help provide the necessary incentive to make that happen. It is almost essential that we have additional hotel type facilities adjacent to the Convention Center to make it work. Unfortunately, the Cosetti Report, which was prepared I believe, by the former Treasurer, Joe Cosetti, was not completely heeded—

Michelle Madoff:

Republican or Democrat?

Mr. Robinson:

He was a Republican at that time.

It was not completely heeded to the extent that he suggested that we not even pursue the project, pursue the development of a Convention Center without tying in a hotel complex. Now, I think it is rather apparent that without some sort of hotel complex it is going to be very very difficult to make the Convention Center a going project.

Mr. Lally:

Bill, aren't there some plans about the Pennsylvania Station?

Mr. Robinson:

The URA Board as I understand it, is trying very hard to try and get a developer for the Penn Central site and also for the property owned across from the Convention Center, but I think that it may be appropriate for this Council to add our support to it. There are people who are interested, but I

think their real concern is that there are not incentives for them to come into our City and help promote the Convention Center.

The Chair:

Thank you Mr. Robinson.

'Michelle Madoff:

Mr. President, I just want to comment on Mr. Robinson raising the issue of the absolutely vital need for hotels. Only this morning, I met with one of the developers in that area and this was exactly the subject matter.

Let me ask you first of all, has anyone raised with the Board, the Commission that you met with, the possibility of enlarging the existing facility by going up, of some plans whereby they could make it larger because one of the things that has been stated is that we didn't have very much farsightedness when we designed that and it really is going to be inadequate almost to begin with. Has that been raised? How they could make it accommodate more people in the present site?

Mr. Robinson:

The issue of the hotel has also been tied to the issue of the size of the Convention Center. It would appear now that most of the persons who are directly involved feel that the Convention Center itself is probably going to be inadequate and coupled with the problem of not having a new major hotel in that area is going to aggravate the situation, so both those issues are trying to be addressed while we are trying to get the Convention Center opened.

Michelle Madoff:

My question was, has anyone brought forth a plan to you whereby they can enlarge the actual space in the existing facility?

Mr. Robinson:

There are architects' drawings for an additional facility to be connected to the Convention Center, that has not been presented to the Auditorium Authority Board.

Michelle Madoff:

I will set up a meeting with the parties that spoke to me, with you, that have some ideas on that, but I would like to point out -

Mr. Coyne:

Mr. President, I would like to comment on that before we leave. When the Cooperation Agreement was before City Council some years ago with regard to the Convention Center, it was pointed out to us that 95% of the conventions that are held in the United States could be accommodated in what is presently being built. And there were some members of Council who expressed the concern that the Convention Center ought to be bigger to handle more people but when we were assured that 95% of the conventions held in the country could be held in it we certainly thought that it was adequate size at the time, particularly in light of the money that we had available to build it from the State.

It is my understanding that the City purchased a block of land down there less than a year ago for a Convention Center site.

Michelle Madoff:

That is for a hotel, Bill, you are absolutely right.

The Chair:

Mr. Coyne, Mr. Stone and I served on the Council that he is talking about which approved that agreement and part of the agreement had to do with the hotel that was to be built, in fact, in a very short time, I think six months or a year, they were going to start building that, or putting it up. Our concern was, you know, we kicked the Convention Center around, in fact it was that Council that revived it over the objections of Mayor Flaherty, we finally got them to do something about a Convention Center and we thought if we kicked it around any more or delayed it anymore, we'd never get one.

I go back to when I was a kid out in Oakland in '32 and they were talking about where Clap Hall is, having the Convention Center there, and we finally a couple of years ago, got them started building one.

Mr. Givens:

I just had one point, that the URA was able to procure the land right adjacent, between 11th and 12th Streets, to Liberty Avenue, which is a parking facility right now, if you can remember, we vacated an alleyway that went through there. That was purchased for some \$2.5 or \$3 Million which was tax money owed the City of Pittsburgh by the Pennsylvania Railway Company, so my knowledge, we are going full steam as we can and I would hope that the Auditorium Authority has an advertisement campaign, that they do when they advertise the Convention Center itself, they could expand that to say, we have buildable land for a hotel land, etcetera, in expansion of the Pittsburgh site in the future, but we are going full steam ahead with that and that was great break, I felt, that the City had gotten from the people who owed us taxes, because they could have still kept it in court for many, many years and there is a lot of good spade work done on that in the part of the Administration and the URA to bring that about.

On one other thing that Councilman brought up in regard to the URA grant Stanton Heights --

The Chair:

Excuse me, are you still on the Convention Center, Michelle?

Michelle Madoff:

I didn't finish -- I had asked Mr. deLuca to provide this Council, as Council may remember, to provide this Council with a breakdown, I think I gave him a list, a breakdown of the number of rooms we have within the City or even out of the City, how many hotels normally have available during the week during convention time and how many people we would have to turn away if they dedicate their spaces to conventions. Now, when I did that and he subsequently visited with me in my office, it appeared we were not in such bad shape until the gentleman I met with this morning said, "When you get up in the morning, and you are going to the convention and you want to get breakfast, or you want to get lunch, where do you go? We may have rooms adjacent to the facility, but we don't have restaurants, I replied, "What do you mean we don't have enough restaurants?" And I started listening to 1,500

meals a day at P&LE, they serve 1,500 meals a day and all the different restaurants. He said, "But they are not going to leave the Convention Center to go to these places," and we also need some eating places. I asked him the same question Mr. Givens just raised about bringing in, like IDA, Industrial Development Authority, luring people to this area. He said, "They say that we are decadent because we have a business privilege tax." And that is something that we'd better look at, I just asked our Budget Office and it seems that we have received something like \$7-1/2 Million revenue through our taxes from Business Privilege Tax. But the question that we have to start looking at on a long range is will we generate those kind of taxes by bringing industry into the area and jobs and will the jobs themselves generate taxes, or the new facilities, because I know for a fact that Mayor Barr's nephew, Barr-Cannon, when he had to move his refrigeration factory, made refrigerator trucks, when he had to get out of his area, I think it was taken by eminent domain, said, "I'm not going to stay in the City and pay a Business Privilege Tax", and he went to the suburbs, just around the City, and that is something we better look at because the Industrial Development Authority by virtue of its mandate is not allowed, a.) to zero in on our community. We don't even have an agency really, enough dollars plugging just for the City of Pittsburgh. We just really are not doing the kind of job we really need to do. If you look at the record, you take it in the number of businesses that have been attracted to the inner-City, they are not very significant. I think it was four or five over the past numbers of years. I think we had better, during budget time, or at some appropriate time, start looking at the long range plan for this community.

I think that Mr. Robinson, we talked about it earlier, suggestion that, he and I and if anybody else cares to join us, will have a resolution for next Monday, that we move expeditiously to look at abatements, as incentives to lure other industries to come in here to perhaps take a look at our Business Privilege Tax, to see that food facilities, like pancake kitchens, places you can have breakfast and lunches and certainly hotels are built immediately, because we are going to run into which came first, the chicken or the egg.

What happens when a convention comes in, if it should ever get ready, we presume it will be ready in a year, and we don't have a hotel, they don't want to come back. We've already created a bad feeling.

As I said before, maybe we should all run an ad in the paper, you know, Pittsburgh is Family, right? We'll all run an ad saying, who will take a conventioner into their house and give them breakfast?

Mr. Givens:

I just want to make one final observation, what is happening in the Penn Hills shopping areas, the same thing that had happened to our Stanton Heights, we have lost security in our Stanton Heights and that is why most of the businesses went down in that particular area. The person who owned that particular site did not provide outside security. It is always the responsibility of the shop owner, inside any shopping mall, to provide their own internal security, what arrangements are ever made with that all the shop owners in the particular shopping mall. That is the seriousness of what happened in the Penn Hills area out there. Right now, for example, we are still having problems in our Hill District with Mr. Hicks with that particular shopping center. And this City, through the URA has a lot of money at stake in that particular area and the Stanton Heights UDAG grant, it was URA that requested that another independent survey be done of the cost of the land once it is acquired by URA we felt that some of the figures in there were not as accurate as they should be and that held it up somewhat. But the thing is still going forward, the City still

wants to re-vitalize that area.

I can tie everything to something that is the most serious thing that is going to happen if we don't do something very quickly. There is a bill that was introduced here for commercial entity with East Liberty.. If we lost the East Liberty Shopping Center we are going to lose one large shopping center affecting almost close to around 230,000 people, people with about 160 some homesteads right in that particular area of the City of Pittsburgh. My deep concern right now is for East Liberty along with trying to get the UDAG money in for the Stanton Heights and to pursue with our UDAG and other bonding funds that we have for the North Side of the City of Pittsburgh.

The Chair:

Your point is well taken.

Mr. Lally moved to excuse Mr. Stone for absence from this meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Tuesday, October 9, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of Mr. Robinson,
Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, October 29, 1979

No. 43

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.

Monday, October 29, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT: Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

To clarify Mr. Stone's absence, he is attending the National Association of Governments Meeting.

PRESENTATIONS

Mr. Coyne presented

No. 4125 Resolution further amending

Exhibit I of Res. No. 487, approved July 12, 1976, as amended by Res. No. 4, effective January 14, 1977, as amended by Res. No. 40, effective Jan. 21, 1977, as amended by Res. No. 178, effective March 17, 1977, as amended by Res. No. 253, effective April 8, 1977, as amended by Res. No. 469, effective June 15, 1977, as amended by Res. No. 969, effective August 31, 1977, as amended by Res. No. 1379, effective Dec. 12, 1978, as amended by Res. 108, effective February 16, 1979, entitled: "Resolution approving the 1976 Capital Improvements Projects; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreement in connection with said projects; providing for contracts for implementing said projects; providing for the payment of the costs thereof", by allocating funds and creating new line items.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 4126 Resolution providing for the issuance of a warrant in favor of the Baltimore and Ohio Railroad Company in the amount of \$13,676.84 in payment for reconstruction of the Baum Boulevard Bridge and providing for the payment thereof.

Also

No. 4127 Resolution providing for the issuance of a warrant in favor of Pennsylvania Department of Transportation in the amount of \$19,362.60 in payment for the City of Pittsburgh's share of costs of the Rehabilitation of Legislative Route 02260, Spur I (40th Street Bridge), and providing for the payment thereof.

Also

No. 4128 Resolution transferring the amount of \$3,000.00 from and to various Code Accounts within the Department of Public Works.

Which were severally read and referred to the Committee on Finance.

Also

No. 4129 Resolution further amending Res. No. 1418, effective Dec. 19, 1978, as amended by Res. No. 103, effective February 16, 1979, entitled, "A Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Replacement of Vacuum Sewer Cleaning Machine and High Pressure Jet Rodder Unit on existing chassis for the Department of Public Works, and for the payment thereof", by increasing the amount to \$55,380.00 from \$39,000.00.

Also

No. 4130 Resolution providing for a contract or contracts in connection with the Kennebec Street Sewer Reconstruction (PW 76-33); and providing for the payment of the costs thereof.

Also

No. 4131 Resolution providing for an agreement or agreements with a Professional Engineering Firm for Engineering Services, in conjunction with Wenzel Avenue, Broadway to Banksville; plan, land acquisition (PW 78-03); and providing for the payment of costs thereof.

Also

No. 4132 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of

payment of \$1,800.00 to Duquesne Light Company for emergency electrical service work, Fifth Avenue reconstruction, Controller's Contract No. 24037, funds available in Bond Fund 225-100, Department of Public Works.

Also

No. 4133 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting interim approval of payment of \$7,250.00 for extra work in connection with Columbus Avenue Bridge, Controller's Contract No. 23740. Funds are available in PW 76-39, Department of Public Works.

Also

No. 4134 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$3,000.00 for chain link fence to be installed by City forces on Centre Avenue Bridge Project. Funds available in Bond Fund 218-104, Department of Public Works.

Also

No. 4135 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting permission for Mssrs. McGee, Balzer and Kubit to attend traffic seminar, Gettysburg, PA, Nov. 1-2, 1979 at cost not to exceed \$450.00, payable from Code Account 1643, Miscellaneous Services, Department of Public Works.

Also

No. 4136 Petition from property owners of Murray Hill Avenue, 14th Ward requesting that their street not be resurfaced with asphalt paving, but be maintained as Belgian Block.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4137 Resolution providing for the issuance of a warrant in favor of James Karis, Inc., 3231 West Carson Street, Pittsburgh, PA, 15204, in the amount of \$2,784.00 in payment for razing and removal of 2½ story frame dwelling located at 412 Burgess Street, 26th Ward, without previous

authority of law and providing for the payment thereof.

Also

No. 4138 Resolution providing for the issuance of a warrant in favor of Rovitto Wrecking, 2614 California Avenue Pittsburgh, PA, 15233 in the amount of \$2,300.00 in payment for razing and removal of a 2 story frame dwelling and 1 story frame shed located at 500 Cherryfield Street, 26th Ward, without previous authority of law and providing for the payment thereof.

Also

No. 4139 Resolution providing for the issuance of a warrant in favor of Surfway Asphalt Paving Co., Inc., 881 Flemington St., Pittsburgh, PA, 15217, in the amount of \$900.00 in payment of a contract for the demolition and removal of concrete block garage at rear of 17 Almeda Street, 15th Ward, without previous authority of law, and providing for payment thereof.

Which were severally read and referred to the Committee on Finance.

Also

No. 4140 Resolution amending Res. No. 636, approved July 11, 1979, effective July 16, 1979, entitled "Resolution providing for an agreement with the Housing Authority of the City of Pittsburgh for the purchase and installation of closed circuit surveillance equipment at its facilities, in various locations, in the City of Pittsburgh," by providing for the purchase and installation of other security materials and equipment.

Also

No. 4141 Communication from Paul Brophy, Director, Department of Housing requesting permission to attend National Association of Housing and Redevelopment Officials' Annual Conference, Denver, Colorado, November 14-15, 1979, at a cost not to exceed \$500.00 payable from the 1978 Community Development Block Grant Trust Fund, Housing Department Administration CDHD (HD-78-13).

Also

No. 4142 Communication from Paul Brophy, Director, Department of Housing requesting permission for Margaret K. Charny, to attend Penna. Dept. of Community Affairs workshop on estimating local costs and revenues of land development, Monroeville, PA, November 29-30, 1979, at cost not to exceed \$75.00, payable from Code Account 1371, Administration, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4143 Resolution providing for the issuance of a warrant in favor of Dormont Manufacturing Company, in the amount of \$725.00 in payment for a Steam Bundle (Retube Heat Exchanger) needed for emergency repair to the domestic hot water system in the Public Safety Building, without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4144 Resolution providing for a license to Duquesne Light Co., for the installation of one (1) pole and (1) anchor on City property fronting on Royal Steet, 26th Ward.

Also

No. 4145 Resolution providing for a license to Duquesne Light Co., for the installation of one (1) pole and (1) anchor on City property fronting on Crane Avenue, 20th Ward.

Also

No. 4146 Resolution providing for the filing of a petition for the sale of certain property acquired through a Sheriff Sale in accordance with Act No. 787 of 1937 as amended.

Also

No. 4148 Resolution providing for the filing of a petition or petitions for the sale of

certain property or properties acquired at tax sale in accordance with Act. No. 514 of 1947 as amended.

Also

No. 4149 Resolution amending Res. No. 1023, approved 8-28-78 for the sale of property in the 20th Ward on Sacramento St., to Thomas C. Spangler and Mary E. Spangler, his wife, for \$750.00 for the reason to sell under Act 787 of 1937 instead of Act 514 of 1947 as the City can sell their interest only due to the City's acquisition of said property.

Also

No. 4150 Resolution repealing Res. No. 281, approved 5-10-76, which authorized the sale of property in the 17th Ward on St. Paul St., to Edward J. Reick and Linda J. Reick, his wife, for the sum of \$150.00. Purchaser has failed to comply with agreement of sale and hand money of \$150.00 is to be forfeited.

Also

No. 4151 Resolution repealing Res. No. 885, approved 9/26/77 for the sale of property in the 14th Ward rr Forward Ave. to Edmund J. Golvash and Elizabeth Golvash for the sum of \$500.00 for the reason the City cannot give marketable title. Hand money of \$100.00 to be returned to purchasers by the Department of Lands and Buildings.

Also

No. 4152 Resolution repealing Res. No. 1062, app. 12-31-76 for the sale of property in the 5th Ward to the Triumph the Church and Kingdom of God in Christ for the sum of \$2,150.00. Hand money in the amount of \$215.00 shall be forfeited.

Also

No. 4153 Resolution repealing Res. No. 361, app. 5-5-77, for the sale of property in the 19th Ward rr. of Ruth St. Block 4-1, Lot 121, to Felix Cimillo and Marie Cimillo, his wife for the sum of \$250.00. Hand money of \$250.00 to be forfeited as purchaser failed to comply with agreement.

Also

No. 4154 Resolution repealing Res. No.

664, app. 7-18-77, for the sale of property in the 7th Ward on Pierce St., Block 84-J, Lot 217 to Carl Kohlman for the sum of \$150.00. Purchaser failed to comply with agreement of sale. Hand money of \$150.00 to be forfeited.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4155 Resolution providing for the issuance of a warrant in favor of Highway Equipment Company, P.O. Box 15038, Pittsburgh, Pennsylvania 15237, in the amount of \$1,595.80 in payment for the repair of a back-hoe loader furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4156 Communication from John C. Miller, Director, Department of Water requesting interim approval of payment of \$1,850.00 to Sciulli Brothers, Inc., for additional and extra work in connection with Contract No. 4 - Waterline installation, Controller's Contract No. 23555-F. Funds available in Bond Fund 229, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 4157 Resolution authorizing the issuance and payment of a Semi-Final Estimate to Terry Electric Inc., in conjunction with the Renovation of Phipps Conservatory, Controller's No. 23205-F, and reducing the retained percentage from Ten (10%) Percent to Two (2%) Percent.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 4158 Resolution transferring the amount of \$17,000.00 to Code Account 1854, Coal and Oil, from code Account 1858, Concession Purchases, all within the Zoological Park Commission.

Also

No. 4159 Resolution transferring the amount of \$3,000.00 to Code Account 1852, Miscellaneous Services, from Code Account 1852-1 Promotional Expenses, all within the Zoological Park Commission.

Which were read and referred to the Committee on Finance.

Also

No. 4160 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting permission to approve the following changes in the 1979/80 ice skating rink operation fees: A weekly rate of \$.45, a weekend rate of \$1.00, and a pass rate of \$17.00 for individuals age 13 to 18; Rental fees for a group of 50 or less will be \$35.00 an hour for city residents and \$50.00 an hour for non-city residents, and groups of 51-100 will be \$50.00 an hour for city residents and \$75.00 an hour for non-city residents. Any group over 100 will pay an additional \$.50 an hour per participant. New charges will be effective November 10, 1979.

Also

No. 4161 Communication from residents of Northview Heights Community requesting a hearing to address the following; the urgent need for renovation of recreation center in the community: inquire into loss, delay and amount of funding provided for renovation: request necessary additional funding for renovation so that deplorable and unsafe conditions can be eliminated: inquire into reasons for early deterioration of building and methods of future maintenance and up-keep and address urgent need for more complete recreational programming for children and adults.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4162 Resolution providing for the issuance of a warrant in favor of Penetone Corporation in the amount of \$2,509.00 for an emergency purchase for the City Garage facility, and for the payment thereof.

Also

No. 4163 Resolution providing for the issuance of a warrant in favor of Pisani Brothers, Inc., in the amount of \$725.00 for emergency repair work made without previous authority of law, and for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 4164 An Ordinance amending Section 1002.01 of Chapter 1002 of the Pittsburgh Code (Board of Code Review).

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, just one comment, point of information, this particular bill increases the size of the Board of Review, or requests that it be increased from 15 to 19, and puts a restriction on the additional four people, that they be residents of the City of Pittsburgh and have some background or knowledge in Building Codes or the enforcement area. This would give to the Mayor four additional people to appoint to that Board and hopefully allow us to bring in some people who do not

presently serve in professional organizations but have some expertise that would be helpful.

The Chair:

The Mayor called me this morning on that very subject and said if we did introduce that legislation, if we did increase it to 19 that he would appoint minority members, women and what have you.

Michelle Madoff:

Mr. President, I would like to report that after picketing the Mayor for two mornings, he was quite incensed with me, and we did have our paths cross the next evening and in the 14th Ward at the Democratic Meeting, he did get up and publicly admit that perhaps I had a point and I was right and that he would change. I think that it takes a big person to do that, I stood up and applauded him and I really feel that I was locked into having to do this because when we — I want to remind Council that when we voted for three Magistrates who were all male, I said at that time that I would vote, that they were good candidates, but the next time there had better be women on Boards and Commissions or I would picket the Mayor. If the occasion arises again where they are all males, no minorities and no women, I will picket again.

Also

No. 4165 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of correcting typewriters for the Department of Personnel & Civil Service Commission, and for the payment thereof.

Also

No. 4166 Resolution providing for a contract or contracts for the furnishing delivery, and installation of a Alarm System for the Vault located in the Front Cashier Cage, First Floor, City Treasurer's Office, City-County Building; and providing for the payment of the cost thereof.

Also

No. 4167 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various Emergency

Medical equipment (ladders, stretchers, etc.) for the Department of Emergency Medical Services, and for the payment thereof.

Also

No. 4168 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (storage cabinet, secretarial furniture, etc.) for the Department of Personnel and Civil Service Commission, and for the payment thereof.

Also

No. 4169 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$5,760.00 to Boron Oil Company for \$7,500.00 gallons of cetron unleaded gasoline for the Bureau of Automotive Equipment, funds are available in Code Account 1144, Gasoline and Diesel Oil.

Which were severally read and referred to the Committee on Supplies.

Mr. Robinson for Mr. Stone presented

No. 4170 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg & Hodge Court Reporters in the amount of \$630.25 in payment for Stenographic transcript of a hearing regarding the appeal of Matthew Patterson which was held on August 23 & 28, 1979 furnished for the benefit of the City without previous authority of law.

Also

No. 4171 Resolution authorizing and directing the City Controller to transfer the sum of \$30,239.39 from CETA Trust Fund, federal funds to Capital Account LB 77-08 to pay for CETA portion of costs incurred in the renovation of offices of the Department of Personnel and Civil Service Commission, Fourth Floor, City-County Building.

Also

No. 4172 Resolution providing for an agreement or agreements with the Pittsburgh Opportunities Industrialization Cen-

ter for the implementation of the Comprehensive Employment and Training Act, Title IV Subpart B of the Youth Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project) and providing for payment of the costs thereof.

Also

No. 4173 Communication from Richard S. Caligiuri, Mayor requesting permission for Ben Hayllar to attend Meeting of Governor's Commission on Crime and Delinquency, Harrisburg, PA., November 19, 1979, at a cost not to exceed \$140.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Michelle Madoff:

I was not at the Mayor's meeting this morning, may I ask that we have a request from the Mayor as to why he is sending Mr. Hayllar to that meeting on Delinquency and Juvenile Justice and not somebody directly working in that field.

Also

Bill No. 4174

A Communication from John Gabriel, Ex. Director, Commission on Human Relations requesting permission to attend EEOC Workshop on 1981 funding qualifications, Washington, D.C. November 13-14, 1979, at no cost to the City.

Also

No. 4175 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Doug Spencer to attend self directed job finding workshop, Lancaster, PA., November 13-15, 1979, at cost not to exceed \$360.00, payable from CETA Trust Fund EOPP, Federal Funds.

Also

No. 4176 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Georgine Scarpino, to attend EEO Goals Seminar, Philadelphia, PA., Nov. 27, 1979, at a cost not to exceed \$200.00

payable from CETA Trust Funds, Federal Funds.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Perry:

We have appointments for approval.

Michelle Madoff:

We have an ordinance and we have a resolution, which I am willing to wait on, how can we vote on these people?

Mr. Robinson:

Mr. President, if I might, the Ordinance that I introduced would not affect the present 15 member Board of Code Review. It simply expands it. If it is the pleasure of Council, we certainly could vote on the 14 names that we have before us and if the Ordinance were to pass next Monday, the Mayor would have four additional plus the one that he has not appointed out of that 15 member Board.

The Chair:

If I may, I glanced at the resolution, I think the resolution, Michelle Madoff, is that one or two of the present 15 be minority members, is that right?

Michelle Madoff:

Well, I'm willing to waive my resolution because I think it is somewhat redundant if the Mayor is conceding — I don't think he did it consciously incidentally, I think he just didn't think about it. I think he will think about it in the future, maybe it will raise his consciousness.

I am not so concerned that we go back and have the existing people be changed as I am that we don't get thrown a bone. I mean I wasn't joking — I was joking, but I was very sarcastic when I said we could solve the problem with minorities, handicapped and women by appointing a black, handicapped woman. I don't want to see those five appointments sort of chewed up so that we have those five — it's five isn't it Bill?

Mr. Robinson:

Four additional.

Michelle Madoff:

Four additions, so we get one handicapped, maybe one or two women and maybe one black — you know, its tokenism and its time we said no.

I am willing, if this Council wants to proceed with the appointments — I will not vote for the entire slate, I will pick the ones I feel are proper and everybody will make their own decision. If it is an important Board that it cannot wait another week, then I will withdraw my resolution, if not, I think we ought to expand the 19 and have re-submissions. There is no reason on earth why the Mayor, in a letter, could not have written to the various organizations and said, "I'm locked in, I have certain appointments I have to make that are mandatory, they happen to be men, I would respectfully request that you search your roster, the people that belong to your organizations and please look for women and minorities and perhaps handicapped." I asked him about that, he said he had done that. I asked him to see the letter and he said, "we did it orally". Later I heard from Ben Hayllar in 50% of the cases.

I think at some point we have to take a stand, and while I think the Mayor is responsive, it depends on how much of a stand we want to take. Do we want a tokenism stand or do you want to say no, go back and give us a complete new slate. I think the deadline is what holds us now, what is our deadline?

Mr. Robinson:

Mr. Chairman, I don't know what the deadline is but I wanted to clarify something. The ordinance that I introduced does not specifically mandate any kind of composition that specifically relates to women or minorities. It relates to people who are residents of this City who are not presently represented on that Board or would be represented on that Board by the specifics in that section of the Ordinance, but who must have some background in fire or building code enforcement or work in that area, so that one, we get persons who are not

professionals in that field, but who are still knowledgeable and we get persons who live in our City and in many instances have worked in this whole area for a long, long period of time and who are not professionals. I would assume that by giving the Mayor that option of four additional persons, that he would be able to find some people who he probably considered before and maybe could not include because they were not professionals.

The Chair:

The Mayor pointed out that the 14 were selected by different organizations. Glancing at the list they all seem to have experience or expertise as to what you were saying.

Mr. Lally:

Mr. President, let's vote on these 14, we've had these people in here, used their valuable time interviewing them and I think it is only fair to them.

The Chair:

If there is no motion to hold a further week, then we will have a roll call vote on these before us.

Mr. Lally:

I move that we vote on these members.

Michelle Madoff:

Mr. President, if we vote on them now, and I then hold my resolution which Mr. Robinson has sort of made mandatory, because his resolution doesn't change the composition of the Board, he only adds four more that must live in the City. You may recall, for those who were present, that as every member who was interviewed came to the Board, belonged to a society, I asked them, are there women in your organization, to which they answered yes—

Mr. Lally:

Not all of them.

Michelle Madoff:

Except for one, that was a construction business.

Mr. Lally:

There was more than one Michelle.

Michelle Madoff:

There was one, but there were women within the groups, there were minorities within the group—

Mr. Lally:

Let us vote on them Mr. President.

Michelle Madoff:

If you vote on it the resolution becomes moot.

The Chair:

Rather say we ran rough shot over this, do you want to present your resolution now, Mrs. Madoff?

Michelle Madoff:

Yes, I do.

Michelle Madoff presented

Bill No. 4177 WHEREAS, Chapter 1002 of the City Code establishes the Board of Code Review and requires that various professional organizations nominate members for appointment by the Mayor; and

WHEREAS, this Board is to consist of 15 members, three of which are mandated positions and 12 of which are appointed by the Mayor; and

WHEREAS, the Mayor has submitted to this Council the names of 14 members to serve on this Board, none of which include minority representation.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the Mayor to reconsider these appointments and resubmit an altered list of names in order to include minority representation on the Board of Code Review.

Michelle Madoff moved for approval.

Mr. Robinson:

Mr. President, point of clarification, maybe Mrs. Madoff can clarify this, by minority representation, do you here include women?

Michelle Madoff:

I assumed it was in the resolution, minorities and women, I didn't read it very carefully.

The Chair:

Women aren't really in the minority.

Michelle Madoff:

No, they are not.

Mr. Robinson:

That is what I was trying to clarify.

Michelle Madoff:

No, I meant minorities and women, I'm sorry if that was deleted, I think my intention was quite clear.

The Chair:

You make a good point, Mr. Robinson, they outnumber us.

Michelle Madoff:

My intention was quite clear, I think, that I meant minorities and women, I'm sorry if I didn't have a chance to review it carefully. Minority representation and women, and handicapped, that is also missing, and handicapped.

The Chair:

You want to change it to read minorities, women and handicapped.

Michelle Madoff:

Yes.

Mr. Robinson seconded the motion.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

NOES:

Michelle Madoff
Mr. Robinson

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Mrs. Masloff
Mr. DePasquale
(Pres't)

AYES 2 NOES 6

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Michelle Madoff:

There is a lot of liberalism here. I guess we can't blame the Mayor.

The Chair presented

Bill No. 4061

A Resolution approving and confirming the appointment by the Mayor of Louis Fosner as a member of the Board of Code Review.

Which was read.

Also

Bill No. 4063

A Resolution approving and confirming the appointment by the Mayor of Paul Imhoff as a member of the Board of Code Review.

Which was read.

Also

Bill No. 4065

A Resolution approving and confirming the appointment by the Mayor of Captain Norman Sanner as a member of the Board of Code Review.

Which was read.

Also

Bill No. 4067

A Resolution approving and confirming the

appointment by the Mayor of Bernard J. Liff as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4069

Resolution approving and confirming the appointment by the Mayor of Frank Schroeder as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4071

Resolution approving and confirming the appointment by the Mayor of Vincent A. Nese as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4073

Resolution approving and confirming the appointment by the Mayor of Nicholas Musulin as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

Also,

Bill No. 4075

A Resolution approving and confirming the appointment by the Mayor of R.A. Zern as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read.

Also

Bill No. 4077

Resolution approving and confirming the appointment by the Mayor of Maxwell G. Mayo as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4079

Resolution approving and confirming the appointment by the Mayor of Aubrey G. Caplan as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4081

A Resolution approving and confirming the appointment of Samuel Zionts as a member of the Board of Code Review for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 4083

A Resolution approving and confirming the appointment by the Mayor of Edward Claitman as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also

Bill No. 4085

A Resolution approving and confirming the appointment by the Mayor of M.J. Begis as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 4122

A Resolution approving and confirming the appointment by the Mayor of John C. Busse as a member of the Board of Code Review for a term to expire December 31, 1980.

Which was read.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)

AYES 7 NOES 1 (MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointments were approved.

REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 4178 REport of the Committee on Finance for October 24, 1979 transmitting sundry resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 4024

A Resolution entitled, "Resolution transferring the total sum of \$21,000 from Code Account No. 1443-1, Salaries and Wages, Regular Employees, Division of Park Police, to the following Accounts: Code Account 1447, Miscellaneous Services - \$20,000, Code Account No. 1451, Repairs - \$1,000."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Givens:

Mr. President, I am voting no on this bill, I voted no on Wednesday on this Wednesday, and Thursday we had a hearing in here in regards to Park Police enforcement in our parks, that was one of the reasons I voted no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

AYES 7 NOES 1 (MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4025

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of W.N.

Dambach, Inc., in the amount of Five Thousand Five Hundred Eighty Five Dollars and Fifty Five Cents (\$5,585.55), in payment for the purchase of materials which were delivered to the City's Construction Division Headquarters for emergency reconstruction of the Fairhaven Road Bridge between Route 51 and Stewart Avenue, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4026

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W.G. Tomko and Son, Inc., in the amount of \$9,000.00 in payment of work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4027

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation, in the amount

of \$7,646.16 in payment for Extra Work furnished for the benefit of the City in connection with Fifth Avenue from Bellefield to South Highland Avenue; and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	Michelle Madoff
Mr. Givens	Mrs. Masloff
Mr. Lally	Mr. Robinson

AYES 7 NOES 1 (MR. DE PASQUALE VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4033

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$19,865.00 in favor of Crown Wrecking Co., Inc., 276 Ringold Ave., Pittsburgh, Pa. 15205, in payment for the demolition and removal of the 1-one-half story frame dwellings located at 1029-1031 Royal Street, the 1-one-half story frame dwelling located at 1033 Royal St., and the 1-one-half story frame dwelling located at 1045 Royal St., 26th Ward and providing for the payment thereof."

Which was read.

Also,

Bill No. 4039

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Somple Supply, Inc., P.O. Box 428 West Newton Road, Greensburg, Penna. 15601, in the

amount of \$450.00 in payment for the purchase of the three 16 inch transition couplings furnished for the benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4047

A Resolution entitled, "Resolution amending a portion of Resolution No. 825 approved September 17, 1979 entitled 'Providing for an Agreement or Agreements with Abraxas Foundation, Brashear Association, Educational Programs - Diocesan School Board of Pittsburgh, Elder-Ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, I am going to vote affirmatively for this bill, but I would like to point out that I believe we are increasing the monies to the ballet, I would like to see that kind of dollar coming from private foundations, from industries that would make it an attractive place, the ballet makes an attractive place and they get people to come and live and work here for them.

Mrs. Masloff:

As I recall, that was a mistake in the first place, it should have been \$1,688.00 when it was originally introduced and it was an error, I will check it out.

I will check it out.

Michelle Madoff:

It doesn't matter, the point I make is that I would like to see some of this money that we can't get from foundations, the money that has to come from operating budget.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. DePasquale

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also

Bill No. 4048

A Resolution entitled, "Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls

Mr. Coyne

Mr. Givens

Mr. Lally

Michelle Madoff

Mrs. Masloff

Mr. Robinson

Mr. DePasquale

(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also

Bill No. 4049

A Resolution entitled, "Resolution transferring the sum of One Thousand Dollars (\$1,000.00) from Code Account No. 1017, Miscellaneous Services, Mayor's Office to Code Account No. 1018, Supplies, Mayor's Office."

Which was read.

Also

Bill No. 4050

A Resolution entitled, "Resolution amending a portion of Resolution No. 826 approved Spetember 17, 1979 entitled, 'Providing for an Agreement or Agreements with Man-

chester Citizens Corporation, Pittsburgh Ballet Theatre, Elder-ado, Inc., Pittsburgh Arts and Crafts Center for the implementation of the Comprehensive Employment and Training Act, Title IV Subpart B. of the Youth Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project) and providing for the payment of the costs thereof."

Which was read.

Also

Bill No. 4109

A Resolution entitled, "Resolution further amending Resolution 1589 of 1978 effective January 1, 1979 titled 'Resolution adopting the 1979 Capital Budget, allocating and setting aside amounts in connection therewith, creating Capital Funds; transferring Bond Funds to said Capital Funds', by creating a new line item."

Which was read.

Also

Bill No. 4110

A Resolution entitled, "Resolution authorizing an agreement or agreements with Coopers and Lybrand for professional services in connection with the implementation of an automated accounting and reporting system for Capital Funds and Community Development Funds."

Which was read.

Also,

Bill No. 4111

A Resolution entitled, "Resolution authorizing an agreement or agreements with On Line Systems, Incorporated for professional services in connection with the implementation and operation of an automated accounting and reporting system for Capital Funds and Community Development Funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4179 A Report of the Committee on Public Works for October 24, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Also, with an affirmative recommendation,

Bill No. 4028

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements between the City of Pittsburgh and the Port Authority of Allegheny County in connection with 6.8 miles of exclusive East Busway between downtown Pittsburgh and the Borough of Wilkinsburg."

Which was read.

Also,

Bill No. 4086

A Resolution entitled, "Resolution amending Resolution No. 1332 approved November 27, 1978, effective November 30, 1978, entitled, 'A

Resolution providing for a Contract or Contracts for the installation of a traffic signal poles and foundations in various locations, PW 77-18 and PW 78-17; and providing for the payment of costs thereof", by inserting the words, 'or to use existing contracts'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

AYES NOES

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4180 A Report of the Committee on Planning, Housing and Development for October 24, 1979, transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3738

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 3 by changing from 's' Special District, 'R1' One-Family Residence District and 'M1' Limited Industrial District to 'RP' Planned Residential Unit Development District all that certain property bounded by: Elmdale Road; Behrens Way; a line parallel to Jerome Street located 100 feet south of the southerly right of way line of Jerome Street; Roedler Way;

Coverdale Street; Lot Numbered 87, Block 18-B in the Allegheny County Lot and Block System; Effingham Way; Lot Numbered 1, Block 18-C in the aforesaid system; Lot Numbered 76, Block 19-R in the aforesaid system; Kearns Avenue; Irondale Street; Lot Numbered 120, Block 18-F in the aforesaid system, Lot Numbered 40, Block 18-C in the aforesaid system; the northerly and westerly line of Lot No. 1 in the Revision No. 1 Shadyhill Plan of Lots No. 2, Alcon Street; the westerly line of Lot No. 1 in the Shadyhill Plan of Lots No. 1; the municipal boundary line of the City of Pittsburgh & Greentree Borough, 28th & 20th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

On Bill No. 3738, which refers to the Kossman development, the Warriors Hill, all the developments in the area, all the businesses in that area and the Greentree area, it was pointed out on Friday, for those members who were not present at the meeting, with Lou Gaetano, Alcosan and other concerned parties, that EPA has stated that nothing will be built in that area until the parallel sewer which we are committed to building in the City, goes on line. I asked that they notify all the developers in that area to that effect and not wait until they spend a lot of money on architect's plans and then say later, well you knew. I think we have a responsibility as Councilmembers to tell them that we heard that.

I understand there is a meeting tonight with the Kossman development, I will try to attend that meeting with some of the citizens in the area, but I will of course vote no on this bill.

Mr. Givens:

Mr. President, I would just like to add one comment, that this bill, when passed would give the authority for that developer one year to submit his plan to the Planning Commission and he can also give extensions on that for a period of a couple more years if

there is delay in any sewage in that particular neighborhood. A lot of this, and some of it must go through HUD in regards to Kossman, it is not over and I don't think Council, when they approved that bill, felt it was over. There are other screenings that must be done and other levels of government above this City Council and I am sure when all that is complied with and I think this is going to add emphasis, not only to the number of homes that are going to be built there, but to the large shopping center that must be developed there also. If we are not to develop in the City of Pittsburgh, then who is going to put the bread on the table of the people when they don't have a job?

Michelle Madoff:

Mr. President, it was stated by, I believe, Mr. Lou Gaetano, several weeks ago, that in 1965, this engineering had been done and that we were about to place for bid, this parallel sewer line within three months and I asked whether it was reasonable to include that as part of this bill. Mr. Gaetano said yes indeed it was, it was another contingency that Alcosan would be able to handle the effluent from the parallel line. Alcosan did state at Friday's meeting that they could take that extra effluent. But, I see no reason why we cannot — then I could vote affirmatively for this, I'm not opposed to the development, I'm opposed to having more impact on the Saw Mill Run problem, and if, indeed, that sewer can be put up for bid expeditiously and the construction in all those developments would go on at the same time the sewer is going on, no one would oppose it. May I suggest we hold it for a week and we add that rider, that the parallel sewer would be built at the same time.

Mr. Lally:

Mr. President, this bill has been passed, I think it should be called for a vote here today, why belabor it, I call for the question.

Michelle Madoff:

Mr. President, I have a motion, I move that we hold this bill for one week, and that Mr. Gaetano add to this — somehow we add to this bill that it would be built providing the parallel sewer line goes in at the same time.

The Chair:

I think it is out of order to say a week, if you want to recommit the bill, make the motion and we will ask for a second.

Michelle Madoff:

I move that we recommit Bill No. 3738.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion carry?"

The ayes and noes were taken agreeably to law, and were:

Ayes:	Noes:
Michelle Madoff	Mr. Bulls
Mr. Robinson	Mr. Coyne
	Mr. Givens
	Mr. Lally
	Mrs. Masloff
	Mr. DePasquale
	(Pres't)
Ayes 2	Noes 6

And a majority of the votes of council not being in the affirmative, the motion failed.

The Chair:

The motion to recommit Bill No. 3738 has failed, is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:	
Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Ayes 7	Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3739

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 5 by changing from 'R1' One-Family Residence District to 'R2' Two-Family Residence District all that certain property bounded by: Van Buren Street; Highridge Street; Oval Way; Rodenbaugh Avenue, 26th Ward."

Which was read.

Also,

Bill No. 3740

An Ordinance entitled, "An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8 by changing from 'C1' Neighborhood Retail District to 'R2' Two-Family Residence District certain properties in the Beltzhoover area, having frontage on Climax Street; Freeland Street; Gearing Avenue; Lafferty Avenue, and Proxim Way, 18th Ward."

Which was read.

Also,

Bill No. 4030

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000."

Which was read.

Also,

Bill No. 4031

A Resolution entitled, "Resolution creating a special trust fund for a Small and Minority

Business Revolving Fund Program; and providing for the deposit of the funds in a bank account."

Which was read.

Mr. Bulls:

Mr. President, I would like to amend Bill No. 4031 by adding in Section 2, "Dwelling House Savings and Loan Association."

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4181 Report of the Committee on Supplies for October 24, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4040

A Resolution entitled, "Resolution repealing Resolution No. 845, effective September 26, 1979, which provided for the letting of a contract or contracts for the furnishing and delivery of combined tapping and drilling machines for the Department of Water, and

for the payment thereof."

Which was read.

Also,

Bill No. 4041

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) globe geophones for the Department of Water and for the payment thereof."

Which was read.

Also,

Bill No. 4042

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (Desks, chairs, file cabinets, etc.) for the Personnel & Civil Service Commission, and for the payment thereof."

Which was read.

Also,

Bill No. 4043

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing, delivery and complete installation of approximately 300 square yards of carpet for the Department of Lands & Buildings, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4044

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks), less trade-in, for the Fire Department, and for the payment thereof."

Which was read.

Mr. Robinson:

Mr. President, I would like to move to have Bill No. 4044 recommitted.

Mr. Coyne seconded the motion

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, I have a concern, I'm sure other Councilmembers do as well as yourself, in regards to the Auditorium Authority and the Civic Arena and the strike that is going on up there. Most strikes as we know, always hit people in the pocketbook, this particular strike is going to hit the taxpayers in the pocketbook if it goes too long and I would like some type of report from the Auditorium Authority and those people who are negotiating with the various unions up there, to try to see what is happening, what the impasse is — I don't want to be sitting here three or four weeks from now and find out that they are still negotiating and that the Civic Arena is closed down. If we could get some report from the Chief Clerk.

The Chair:

Maybe we could short-circuit it by asking Mr. Robinson if he cares to comment, he is on the Authority.

Mr. Robinson:

Mr. President, I think, unfortunately,

some of the issues relative to why the Arena is in the present situation that it is stems from the fact, I believe, that a number of the unions, some of which are back to work, some of which are not working, have some uncertainty as to the future of that facility. Unfortunately, I think that the fact finder in presenting his materials suggested or said to the unions, that indeed the facility was being considered for sale and I think because of the uncertainty and because of the period of time over which that kind of comment, innuendo, statement, has been floating around, the unions felt that it was necessary for them to strike, inasmuch as they could not accept that portion of the fact finders agreement. I think until that issue is resolved to the satisfaction of the unions, really, they will continue to be uncertain and will continue probably to try to stay out of this as long as they can.

Mr. Lally:

Bill, the negotiations have been going on for quite a while, have they not?

Mr. Robinson:

Negotiations have been going on in terms of the contract, at least since June, with this particular union #188.

The Chair:

Yes, their contract expires around the end of June and they have been negotiating — they broke down over the weekend.

Mr. Robinson:

They have been working around the contract since then, but the issue of whether or not that facility would be sold goes back almost a year and I think that some of the newspaper reports and media reports relative to that complicated the negotiations and now have gotten the union to the point that they feel that they just don't know who they are doing business with.

Mr. Lally:

They are under Act 195 —

Mr. Robinson:

As far as I understand, there is still some

issue as to whether or not the fact finder indeed published the material and then the union followed the proper procedure to go out on strike, there is even a question as to whether or not they didn't go out in advance.

Mr. Givens:

Again, my question comes back to the taxpayers eventually, and I want to see a good contractual agreement but the taxpayers are going to have to foot the bill if the Civic Arena is not opened up and all of us know that when any particular business is closed down it takes a long, long time to recoup that additional money.

The only concern I have is that I think this Council has a fiscal and a moral obligation to bring resolve to this as quickly as possible and I would ask that the people who are so instrumental in bringing this negotiation, to inform this Council as to exactly where they are, I don't want an impasse to develop and if it should go into binding arbitration under Act 195 —

The Chair:

You have a problem that is sort of unique at the Arena, Dick, where there is ice involved—you have to be concerned with the making of the ice in hockey games and the skating events and what have you. Apparently the unions that do that won't make that ice and therefore, naturally you can't have the hockey games. The other affairs I think they could put on, I know over at Three Rivers Stadium, I will be quick to say that our Local, and I've been President for 22 years, has never had a strike, but there have been strikes over there, the ground crew and what have you, and they have proceeded and operated with personnel, company management and personnel and why they are not doing it up there I don't know, other than the ice making.

Mr. Robinson:

Mr. President, I might respond to that in conjunction with what I said before, there are provisions that those unions that already have contracts with the Authority are required by law to operate. Basically the position of those unions, and this is unofficial because I am not a representative of the

union, their position has been that we would have to take them to court, the Auditorium Authority would have to take them to court to force them to cross the picket lines to perform their duties. Due to the very delicate nature of this whole situation, many people are really fearful of their lives and of their property. There have already been some acts of vandalism, etc., and I think unfortunately the situation has become so grave that people's lives might be jeopardized if indeed we tried to force people to go back to work. I agree with Mr. Givens, we need to resolve this issue just as quickly as we can so that it is not protracted. Until we can firmly put the issue on the table as to whether or not that facility possibly is going to be turned over to private developers, we would not have labor peace at the Auditorium regardless of if we sign the contract. Until that issue is put squarely on the table and the union is told yes or no and the Auditorium Authority Board has some kind of proposal that they can very seriously review, that proposal, if it is ever presented, before it would be accepted, would have to come to this Council, it would have to go to the County Commissioners and to the Mayor. At this point there is no formal proposal, but there are a lot of informal proposals and that is part of the problem.

Michelle Madoff:

Mr. President, I have a couple of items I would like to bring to the attention of Council. I must admit, I am still a novice, learning my profession, I was reviewing an item from an abatement on water and there was a paragraph I thought Council ought to know about:

"In this matter we have several factors which contributed to the large billing in question. The major reason involves the obvious gross underestimation of this account during almost five years of estimated billings."

Five years! I have asked that Grace Harris come to Council and explain why we have billings that go estimated for five years and then we zap someone at the end of five years. I understand that people are supposed to return their little card if somebody cannot have access, but certainly we can't allow five

years to go by because the ultimate result in almost every abatement is that we cut it in half and maybe if we billed them properly, people would be paying their fair amount and it certainly would generate more revenue for the City and that is something we ought to pursue and I just wanted to bring it to your attention.

On another matter, Mr. Donahoe responded — and I just received this today from Mike Perry — to my request as to what impact the census would have on our dollars. The general feeling I get from his statement is that we will have to make some legislative or ordinance changes, but basically the dollars will not change, except, he says:

"A more significant observation about city government, however, is that assuming population has decreased the demand, need or requirement for service has not decreased and the revenue produced from local taxation simply cannot keep up with increasing cost for operating a government the size and scope of Pittsburgh. Clearly a broader based tax will be needed in the future."

Now that brings me to a response that Mr. Lally requested from the Law Department as to the legality of our raising the fees to non-City residents for the Zoo, the Aviary, the Conservatory, etc., for which the City has been picking up deficits in the nature of \$400,000 for last year, I have not as yet received from Louise Brown those deficits for the past year. I thought it was interesting — Council did get, the members did get the letter saying that indeed it was legal to do that.

Louise just called me a few minutes ago to say that unfortunately she would not be here Wednesday and could we please postpone the post agenda meeting and I informed her that — as a matter of fact I had not read this letter at the time, meaning the letter from Mike Perry as to our shrinking revenue, and a shrinking tax base with greater burden — and I told her I don't want her to come before Council, she doesn't have to come next week, she can come the week before, whenever Mr. Perry finds time. But, not to come and tell me all the problems in

accomplishing the goal, but how she could indeed, solve some of the problems. She has indicated that there are some areas that she can approach and I think it would be very enlightening but I wanted to point out that we do have a problem we can no longer shut our eyes to. The County had a \$12 Million surplus last year — I'm sure there is no doubt in anyone's mind that we are going to have a tax increase.

Mr. Givens:

Mr. President, I just have one thing to add to Michelle's comments and that is the fact that we are trying to develop in this City of ours and I notice she consistently almost, votes against it for one reason or another. If we don't get that tax base we are seriously going to have serious problems.

Michelle Madoff:

What did I vote against? I don't know what you are talking about.

Mr. Lally:

Because you vote against any development

Michelle Madoff:

If you are saying that I am voting against 1,600 jobs out at Kossman, I think we'd have 16,000 jobs putting in sewers. Everyone knows that sewers are in worse shape than bridges.

Mrs. Masloff:

Mr. President, I also want to point out that I believe we should get some money from the County government, not from the people who visit the Zoo, not from 6,000 kids.

That is where I think we should get the additional money from, from the County government, not the people that visit the Zoo, it is a cultural center for our people.

Michelle Madoff:

While I agree with Mrs. Masloff, there is still the problem that these same children go out and buy \$6.00 records — they can afford 25¢ more to go to the Zoo if they are out of the City.

Mr. Coyne:

Mr. President, I think it would be appropriate to observe a moment of silence for a former member of this Council who passed away and was buried this morning, Walter Kamyk, who served very faithfully of this body for many years.

MOMENT OF SILENCE.

The Chair:

Thank you.

Mr. Robinson moved to excuse **Mr. Stone** for absence from this meeting

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, October 22, 1979.

Mr. Lally seconded the motion

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, November 5, 1979

No. 44

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRADY . . . Ass't City Clerk

Pittsburgh, Pa.
Monday, November 5, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

ABSENT: Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Mr. Givens is attending a funeral of a very dear friend.

PRESENTATIONS

Mr. Bulls presented

No. 4182 Communication from Glenn Cannon, Director, Department of Emergency Medical Services requesting permission for himself to attend Hazardous Materials Seminar, Raleigh, North Carolina, December 3-6, 1979, at a cost not to exceed \$750.00, payable from Code Account 1421, Misc. Services, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 4183 Resolution providing for the issuance of a warrant in favor of Engineering Mechanics, Inc., in the amount of \$16,377.63 in payment for Emergency Work furnished for the benefit of the City in connection with the Royal Street earth mass movement; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4184 Resolution providing for an agreement or agreements for Engineering Services for the replacement of Forbes Avenue Bridge (PW 79-10); and providing for the payment of costs thereof.

Also

No. 4185 Resolution setting aside and dedicating for public use, for highway purposes, certain property designated as Block

121-K, Lot 241, of record in the Deed Registry Office of Allegheny County, and located in the 10th Ward of the City of Pittsburgh.

Also

No. 4186 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting permission for Messrs. Semieraro, Aul, Loy and Tumis to attend Bridge Inspectors Team Leader Course, Lehigh University, Bethlehem, PA, November 26-30, 1979, at a cost not to exceed \$1,100.00, payable from Code Account 1530, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Lally for Mr. Givens presented

No. 4187 Resolution authorizing a Cooperation Agreement between the City and the Urban Redevelopment Authority of Pittsburgh for the implementation of the Citywide Revolving Loan Fund and providing for the costs thereof.

Also

No. 4188 Resolution authorizing the Mayor and the Director of the Department of City Development to enter into a contract or contracts with the Selck-Minnerly Group, Inc. for design work in conjunction with the Food District Development Study at a cost not to exceed \$12,000.00.

Also

No. 4189 Communication from Paul Brophy, Director Department of Housing requesting permission for Chet Karas, to attend Local Housing Rehabilitation Workshop, Monroeville, PA, November 19-20, 1979, at a cost not to exceed \$50.00, payable from the 1978 Community Development Block Grant Trust Fund, Department of Housing CDHDA (HD-78-13).

Also

No. 4190 Communication from Robert Lurcott, Director, Department of City Planning requesting permission for Evan Stod-

dard to attend Penna. Council for Urban Economic Development Meeting, Harrisburg, PA, October 30, 1979, at a cost not to exceed \$140.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4191 Resolution providing for the issuance of a warrant in favor of Allegheny Engineering Company, in the amount of \$522.00 in payment for emergency service furnished for the benefit of the City in connection with the replacement of a defective condenser coil at No. 28 Engine Company; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4192 Resolution providing for the purchase, in lieu of condemnation of property for the new No. 10 Engine Company, West End, Department of Lands and Buildings, Capital Project No. LB 79-01, and providing for the payment of the costs thereof.

Also

No. 4193 Resolution amending Exhibit 1 of Res. No. 1589, effective January 1, 1979, entitled: "Resolution - adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds" by re-allocating funds for the Department of Lands and Buildings.

Also

No. 4194 Resolution amending Res. No. 247, approved March 14, 1979, effective March 19, 1979, entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizen Development Corporation, a non-profit organization, for the renovation of the 1st Floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizen Center

and a limited purpose Credit Union, and providing for the payment of the cost thereof", by providing for a Supplemental Agreement/s with the Hill District Citizens Development Corporation increasing the amount provided for from \$75,000.00 to \$90,000.00.

Also

No. 4195 Resolution providing for a License to Duquesne Light Co., for the installation of one (1) pole and one (1) anchor on City property fronting on Arlington Avenue at St. Patrick Street, 16th Ward.

Also

No. 4196 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended.

Also

No. 4197 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended.

Also

No. 4198 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended.

Also

No. 4199 Communication from Harold West, Director, Department of Lands and Buildings requesting interim approval of payment of \$5,225.00 to D.R. Hamburg Associates for extra services incurred in design of No. 2 Police Station, funds available in Bond Fund 228, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4200 Resolution further amending Res. No. 1587, approved Dec. 29, 1978, effective January 1, 1979, as amended, entitled, "A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1979," by making additional appropriations in the Water Fund, \$54,631.00 to Code Account 1750, Chemicals; \$180,000.00 to Code Account 1703, Utilities; and \$160,000.00 to Code Account 1702 Municipal Obligation for Non-City Water Agencies.

Which was read and referred to the Committee on Finance.

Also

No. 4201 Communication from Richard Cosentino, Director, Department of Water requesting interim approval of payment of \$18,000.00 for repairs to broken 12" water line beneath Forbes Avenue Bridge. Funds are available in the 1977 Capital Budget, WD-77-10. New line item to be established.

Which was read and referred to the Committee on Water.

Mrs. Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 4202 Resolution providing for earned vacation pay and compensatory time for the former Director of the Department of Water for the year 1979.

Which was read and referred to the Committee on Finance.

Also

No. 4203 Resolution amending Res. No. 893, approved Oct. 4, 1979, entitled, "Providing for a contract or contracts for water line relays in conjunction with the Reconstruction of the Herron Avenue Bridge South approach and Ruthven Street and providing for the payment of the cost thereof," by changing the source of funding to the 1977 Capital Budget.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 4204 Resolution transferring the amount of \$10,000.00 to Code Account 1851-1, Premium Pay from Code Account 1851, Wages, Regular and Temporary Employees, all within the Zoological Park Commission.

Which was read and referred to the Committee on Finance.

Also

No. 4205 Resolution providing for a contract or contracts for the renovation of the Arlington Heights Recreation Center and providing for the payment of the cost thereof.

Also

No. 4206 Resolution providing for a contract or contracts or the use of existing contracts for the purchase and installation of a new handrail for the electric walkway at the Pittsburgh Zoo; and providing for the payment of the cost thereof.

Also

No. 4207 Resolution amending Res. No. 1558, effective December 31, 1978, entitled, "Providing for an agreement or agreements with architects or engineers for professional services in connection with the design of various swimming pools and bathhouses in the Department of Parks and Recreation, and providing for the payment of the cost thereof" by reducing the allocation from \$155,000.00 to \$65,000.00.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4209 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$7,120.19 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4210 Resolution providing for the issuance of a warrant in favor of Keystone Spring Service, Inc. in the amount of \$1,436.13 for emergency repair work made without previous authority of law.

Which was read and referred to the Committee on Supplies.

Also

No. 4211 Resolution transferring the sum of \$20,000.00 from Code Account No. 1141, Salaries & Wages, Bureau of Automotive Equipment, Department of Supplies, to Code Account No. 1126-1, Premium Pay, Department of Supplies.

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 4212 Resolution transferring the total amount of \$805,000.00 from certain City Departments to various Code Accounts, Department of Supplies, as listed below:

Which was read and referred to the Committee on Finance.

Also

No. 4213 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a 35 ton removable gooseneck trailer for the Department of Public Works, and for the payment thereof.

Also

No. 4214 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office furniture (desks, chairs, etc.) for the Department of Police, and for the payment thereof.

Which were read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4215 Resolution providing for issuance of a warrant to Robert O. Payne and Eugenia M. Payne, his wife, in the amount of \$2,500.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 4216 Resolution providing for an agreement or agreements with private-for-profit businesses, or nonprofit organizations, to provide on-the-job training services for CETA participants and providing for the payment of the costs thereof.

Also

No. 4217 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Barbara Howell and Tyra Townsend to attend U.S. Department of Labor training session Alexandria, VA, December 3-6, 1979, at a cost not to exceed \$500.00, payable from CETA Trust Fund, Federal Funds.

Also

No. 4218 Communication from Mayor Caligiuri requesting permission for George

Whitmer to attend Penna. League of Cities Meeting, Harrisburg, PA, November 9, 1979 at a cost not to exceed \$140.00 payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, I consider this unfinished business—the bills that were just introduced today—you know, the legislative agenda conference, which is supposed to be mailed to us. For six weeks, we were not getting the bills from City Council until after we were here on Monday, at least I wasn't and I think Mr. Givens said he didn't either.

This morning I happened to be at home on a very important matter and I didn't get here, I was working from the house and when my mail arrived at 12:00, my legislative agenda arrived. Had it been at my home prior to this morning, there are a number of items I would have been working on. Fortunately, I am in Council generally on Thursday and Friday, it had been a little busy. I would appreciate if the City Clerk would write a letter to the Law Department requesting that they mail it earlier.

The Chair:

The Clerk is so ordered.

Michelle Madoff:

We can't read our bills or even look into matters if we don't know about them.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4219 Report of the Committee on Finance for October 31, 1979 transmitting sundry resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 4112

A Resolution entitled, "Resolution providing for the issuance of a \$882.03 warrant to Duquesne Light Company in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 4157

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to Terry Electric, Inc., in conjunction with the Renovation of Phipps Conservatory, Controller's No. 23205-F, and reducing the retained percentage from Ten (10%) Percent to Two (2%) Percent."

Which was read.

Also,

Bill No. 4162

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Penetone Corporation in the amount of \$2,509.00 for an emergency purchase for the City Garage facility, and for the payment thereof."

Which was read.

Also,

Bill No. 4163

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pisani Brothers, Inc. in the amount of \$725.00 for emergency repair work made without previous authority of law, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Lally	Mr. Robinson
Michelle Madoff	Mr. Stone
	Mr. DePasquale
	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4220 Report of the Committee on Public Works for October 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4088

A Resolution entitled, "Resolution further amending Resolution No. 675, effective August 19, 1976, as amended by Resolution No. 747, effective August 16, 1977, as amended by Resolution No. 1020, effective October 27, 1977, as amended by Resolution No. 4, effective January 31, 1978, as amended by Resolution No. 725, effective June 30, 1978, as amended by Resolution No. 827, effective August 3, 1978, as amended by Resolution No. 1333, effective November 30, 1978, as amended by Resolution No. 21, effective January 17, 1979, as amended by Resolution No. 273, effective March 29, 1979, as amended by Resolution No. 531, effective June 17, 1979, entitled 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing

for the deposit of funds in a bank account', by redesignating officials authorized to execute payment vouchers on Letter of Credit in connection with the subject project."

Which was read.

Also,

Bill No. 4089

A Resolution entitled, "Resolution granting unto Allegheny County Industrial Development Authority, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Fort Duquesne Boulevard at Barker Place in the Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4090

A Resolution entitled, "Resolution providing for an Agreement or Agreements for the Design of Warrington Avenue Reconstruction (PW 78-06); and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the commonwealth of Pennsylvania, Department of Transportation.

Which was read.

Also,

Bill No. 4125

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 4, effective January 14, 1977, as amended by Resolution No. 40, effective January 21, 1977, as amended by Resolution No. 178, effective March 17, 1977, as amended by Resolution No. 253, effective April 8, 1977, as amended by Resolution No. 469, effective June 15, 1977, as amended by Resolution No. 969, effective August 31, 1977, as amended by Resolution No. 1379, effective December 12, 1978, as amended by Resolution No. 108, effective February 16, 1979, entitled: 'Resolution approving the 1976 Capital Im-

provements Projects; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; providing for the payment of the costs thereof' by allocating funds and creating new line items."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally for Mr. Givens presented

No. 4221 Report of the Committee on Planning, Housing and Development for October 31, 1979 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2424

An Ordinance entitled, "An Ordinance amending the Zoning Ordinance No. 192, approved May 10, 1958, as amended, Zoning District Map Sheet Nos. 11 and 12 by changing from 'R4' Multiple-Family Residence District to

'R5' Multiple-Family Residence District all that certain property bounded by: North Craig Street; Baum Boulevard; Gold Way and Truro Way, 5th Ward."

Which was read.

Also,

Bill No 3741

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 18, by changing from 'S' Special District to 'R1' One-Family Residence District all that certain property bounded by: Beechwood Boulevard, the 'R1' Zoning District boundary line south and east of Gilda Avenue; Lot No. 120, Block 128-N in the Allegheny County Block and Lot System; Lot No. 50, Block 88-S in the aforesaid system, Lot No. 100, Block 88-D in the aforesaid system; 14th Ward."

Which was read.

Also,

Bill No. 4093

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Administration, Chapter 905, Permits and Certificates, Section 905.06 ENFORCEMENT AND PENALTY, by increasing the fine from \$300.00 to \$1,000.00 for each and every violation."

Which was read.

Also,

Bill No. 4094

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten, Building, Article I, Administration, Chapter 1007.20, VIOLATIONS AND PENALTIES: ABATEMENT ACTIONS, by increasing the fine from \$500.00 to \$1,000.00 for each and every violation."

Which was read.

Also,

Bill No. 4095

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements between the City and the Urban Redevelopment Authority of Pittsburgh amending the Industrial Land Reserve Fund Cooperation Agreement and by providing an additional \$650,000.00 for property acquisition."

Which was read.

Also,

Bill No. 4096

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with Hammer, Siles and George Associates for the Food District Development Study at a cost not to exceed \$25,000."

Which was read.

Also,

Bill No. 4097

A Resolution entitled, "Resolution amending Resolution No. 697, approved August 7, 1979, effective August 10, 1979, entitled, 'Resolution providing for an Agreement or Agreements, with the East Liberty Chamber of Commerce in connection with a Commercial Revitalization Program for the East Liberty Mall Area,' by changing the other party to the Agreement to East Liberty Development, Incorporated."

Which was read.

Also,

Bill No. 4100

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John A. Turner for the sale of Parcel 6 in the Twenty-First

Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4101

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jennifer Jones for the sale of Parcel 117 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4102

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Philip J. Ventura for the sale of Parcel 233 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4103

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Thomas D. Figulski and Andrew J. Brown for the sale of Parcels 244A and 244B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4164

An Ordinance entitled, "An Ordinance amending Section 1002.01 of Chapter 1002 of the Pittsburgh Code (Board of Review)."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. Robinson, this is the bill that you are amending to read 19 members?

Mr. Robinson:

Yes.

Michelle Madoff:

I would just like to say that while I am delighted that we are expanding the committee to 19 members and hopefully we will have minorities, handicapped and women included, I still think that in the future I would regard that as tokenism and throwing us a bone and I would hope that in the future the entire make up of the Board would comprise all segments of society and would not say—well, I don't want to narrow it down that we have to look for some minority just to put them on the Board, I am sure there are competent women, there are competent minorities. If someone had bothered to look

at the rosters and request that this makeup of the Board should—perhaps maybe a third of the composition would be minorities and women and handicapped. I will abstain.

Mr. Robinson:

Mr. President, I would like to have my comments from last Wednesday entered into the record please.

MR. ROBINSON'S REMARKS FROM THE MEETING OF WEDNESDAY, OCTOBER 31, 1979:

Mr. Robinson:

Mr. Chairman, I understand what you are saying but I think it would be inappropriate to include it at this time and I will tell you why.

I think, at this point, given some publicity around it and the embarrassment that has been caused the Administration as to who might serve on the board, I was under the impression that only because they are handicapped or a minority.

At this point indeed the board has not affected this Council as it should have and we ought to take prepared action—first of all to collect the personal background. If we have a reasonable assurance that this is going to be addressed, it wouldn't be appropriate for either the Administration or this Council or the members of possible members (of the board) to be put into a position where they are being selected because of their race or color or if they are handicapped, etc.

As far as this is concerned I think it is a case where the Mayor didn't have the leadway that he needed and I will certainly try to get that he gets the leadway.

Now the present law indicates that no group or organization that is already serving on the board can now be represented. I personally don't interpret that to mean racially. Certainly there are attorneys who do, but it was my hope originally that minorities and women be addressed and that is the prime example of how I would like to approach things and that is why I wrote in the general

sense. If it does work out, I think we have the power to make out the way we want to.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4222 Report of the Committee on Supplies for October 31, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3787

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the maintenance, rental, inspection or servicing of personal property owned by the City of Pittsburgh and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh and for the miscellaneous services in and for any or all departments of the City of Pittsburgh during the calendar year 1980, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3788

A Resolution entitled, "Resolution providing for the letting of contracts for materials, general supplies, equipment and machinery by the several departments of the City Government, for the year beginning January 1, 1980 and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4223 Resport of the Committee on Lands and Buildings for October 31, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4034

A Resolution entitled, "Resolution authorizing the sale of property in the 18th Ward of the City of Pittsburgh, located on Jonquil Street, designated as Block 13-P, Lot 24, for the sum of \$800.00 to David P. Jablonski and Debra A. Jablonski his wife."

Which was read.

Also,

Bill No. 4035

Resolution amending Resolution No. 253, approved April 26, 1976 which authorized the sale of property in the 18th Ward on Sylvania Avenue designated as Block 15-L, Lot 94 to Percy Wallace Sr. for the sum of \$200.00. Reason for amending is to change act of sale from 514 of 1947 to Act No. 787 of 1937. All else in Resolution No. 253 shall remain the same and in effect.

Which was read.

Also,

Bill No. 4036

Resolution amending Section (J) on Page 4 of Resolution 853, approved 9/20/79 for the sale of property on 225 Alpine Avenue, 25th Ward to Martha E. Ellis for the sum of \$250.00 by correcting Lot No. 231 to read 23-F, Lot 281. All else in Resolution No. 853, Section (J) shall remain the same and in effect.

Which was read.

Also,

Bill No. 4037

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 4105

A Resolution entitled, "Resolution providing for a license to Equitable Gas Company for the installation of a four-inch pipeline on City Property known as Spring Garden Playground, 24th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

Michelle Madoff:

Mr. President, I would like to request that the City Clerk ask Mr. West of Lands and Buildings that whoever submits these items to us, that they indicate whether they are side lots, buildable lots, hillside lots, cliffs, just one sentence giving us some indication, because unless we get the letters from Mr. Lally we don't know that. There is a piece of property today—1-7/8 acres for \$1,500.00 and it may be a bargain to the City to unload it at that, to encourage somebody to build, but I think that I made my point last week when I bought that lot for \$6,000, within 24 hours I had ten people who wanted to know why they didn't have the same privilege of bidding, I had one offer, site unseen, for \$10,000. I am going to sell it to the two young men who located the land in the first place and were given mis-information by Lands and Buildings—were led to believe that they had never come to bid, that they had that property at \$3,500. They are going to make a contribution to charity because I said I would if there were any profits and by there making it I do not have any benefits privately in our tax situation and I would like to stress and I want to go on record that I will not vote for an increase in next year's budget for anything unless we utilize the dollars that can come from the sale of properties because our calculations show that in the next couple of years we could raise between \$4 Million and \$8 Million.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Stone presented

No. 4224 WHEREAS, The Fraternal Benefit System - comprised of 100 non-profit fraternal societies - is a major movement within the United States of America, comprising Ten Million fraternalists, nationally and One Million fraternalists, within the Commonwealth of Pennsylvania, with the City of Pittsburgh as the national headquarters of many Fraternal Societies; and

WHEREAS, The National Slovak Society, the oldest fraternal organization of Americans of Slovak descent was organized on February 16, 1890, to unite Americans of Slovak and Slav descent, and was the forerunner and inspiration for many other Ethnic Fraternal Societies of Slav descent; and

WHEREAS, The National Slovak Society, has during its many years of existence, offered and provided insurance protection in the event of death, sickness or disability to its members, as well as, to preserve and perpetuate the high ideals, customs and culture of the Slovak people, within 26 states of the United States; and

WHEREAS, The National Slovak Society during its nearly 90 years of existence has been located within the City of Pittsburgh, and

WHEREAS, The National Slovak Society in marking another milestone of its history, has recently moved its National Headquar-

ters to its new and beautiful building, on the South Side of the City of Pittsburgh - one of the City's solid and highly respected Ethnic neighborhoods.

NOW THEREFORE.

BE IT RESOLVED, that the Mayor and the City Council of the City of Pittsburgh acknowledge the great contribution of the National Slovak Society and other Ethnic Slav Societies to this City and congratulate the National Slovak Society, during the dedication of its new National headquarters on Monday, November 12, 1979, and extends its best wishes and warm regards.

Which was read.

Mr. Stone moved for approval.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 4225 **WHEREAS**, There does exist on the South Side of the City of Pittsburgh, a school now affectionately known as "Old South High School"; and

WHEREAS, Many of its former students have gone on to greater heights and have distinguished themselves and honored this City; and

WHEREAS, There are many former students of South High, who remain grateful for the lessons learned and the experience of being at South High; and

WHEREAS, These former students have recently bound themselves together into an Alumni Association of South High for the purpose of promoting further fellowship and closer ties and social activities among themselves, but more paramount, have dedicated themselves, to assist, financially and otherwise, the students, faculty, parents and community; and

WHEREAS, The Alumni Association desires and intends to provide scholarships for worthy and needy students presently at South High, and to assist, in any and all other

ways, to continue the good name, and high ideals and purposes of South High.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the City Council of the City of Pittsburgh does hereby congratulate the Alumni Association of South High, commends its purposes and interest, and extends its best wishes in its laudable efforts on behalf of the present student body, faculty, parents and community.

Which was read.

Mr. Stone moved for approval.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

It looks like this is South Side's day.

Mr. Stone:

It is South Side's day.

The Chair:

How come you didn't present something for Schenley High School?

Mrs. Masloff:

I was going to suggest that.

The Chair presented

No. 4226 **WHEREAS**, it has pleased Almighty God, in his infinite wisdom to have removed from our midst Walter Kamyk, on Friday, October 26, 1979; and

WHEREAS, his sudden death has deeply grieved his former colleagues and associates in government as well as the people whom he served and loved; and

WHEREAS, Mr. Kamyk served the citizens of the City as a member of City Council from September 11, 1963 to January 4, 1976 and served as a State Representative from 1949 to 1963; and

WHEREAS, he was a noble and dedicated public servant and his years in public life are a shining example for good, honest and clean government. He was a faithful husband, a devoted and loving father, a great American and a gentleman in every respect. Walter Kamyk was a devout Catholic and he was a member of various religious, charitable and fraternal organizations.

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the members of the Council of the City of Pittsburgh do hereby express their grief and sorrow over the death of Walter T. Kamyk and extend their sincere sympathy to the bereaved family; and

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of Council and that a copy be forwarded to his family.

Which was read.

Mrs. Masloff moved for approval.

Mr. Stone seconded the motion.

Which motion prevailed.

The Chair:

I wonder if we would stand and observe another moment of silence, I know we did it last week when Walter passed away, but I think we can do it one more time for an old colleague.

MOMENT OF SILENCE

The Chair:

Thank you ladies and gentlemen.

Mr. Stone moved to excuse Mr. Givens for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, October 29, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff moved that this meeting be adjourned and reconvene on Tuesday, November 13, 1979 at 2:00 P.M.

Mr. Stone seconded the motion.

Which motion prevailed.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

Vol. CXIII

Monday, November 13, 1979

No. 45

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, November 13, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Councilmembers, ladies and gentlemen, before we dispense with our regular

business, we will have a presentation of the 1980 proposed budget by Mayor Caligiuri. Would Sophie Masloff and Councilman Lally please escort the Mayor into the room.

Mayor Caligiuri, please.

Mayor Caligiuri:

Thank you Mr. President. Members of Council, friends and citizens of Pittsburgh:

To be a resident of the Pittsburgh region and enter into a new decade is an exciting and challenging combination.

Exciting because of the promise of growth before us and challenging because of the work needed to keep the area moving ahead.

To be mayor of the City of Pittsburgh is also an exciting and challenging because Renaissance II is taking shape both in our neighborhoods and downtown and because of the policy decisions we have yet to make.

I, for one, look forward to those decisions which must and will be made in a cooperative and professional manner.

Look what we have already done to prepare the Pittsburgh region for the 80's. Our housing needs are being addressed through innovative and workable housing rehabilitation and development programs — assistance which is available to a broad spectrum of city residents but also as an incentive for families to relocate to the City; economic development of the central city and outlying areas is in full swing with the Market Square Redevelopment Project, with the proposed Oxford Development and Grant Street East projects, the Stanfield UDAG,

Northside UDAG, the revitalization of the East Liberty and Hill District commercial areas to name but a few; new and unique commercial ventures are taking place at Station Square and in the Strip District and downtown continues to be the headquarters for fashion, services and just plain fun; our transportation needs are being met with an ambitious bridge rehabilitation and street maintenance program as well as through our cooperation with the County on completion of a modern rapid transit program; we have addressed the region's recreation needs through our support of the Stadium, Arena, Zoo and the construction of a comprehensive network of park and natural recreational areas in the city; the educational and cultural needs of our citizens and those of the entire area are being met by our excellent schools and institutions of higher learning, the technical centers and the various museums and concert halls which are housed within our boundaries.

Perhaps most significantly we have prepared for the 80's by putting aside inter-governmental bickering and replacing it with improved working relationships with the county, state and federal governments. Our applications are moving and our problems are being effectively communicated. These relationships will grow and, I believe, bear fruit because of the seeds that you and I have planted.

Preparing a regional center for the new decade is not easy nor is it inexpensive. The debates and inquiries that have taken place in Council over the last two years are evidence of this fact. Certainly the most debate over the last year has not been over the progress of Renaissance II but over the scope and cost of municipal services. As we concentrate on the growth and development areas we must be mindful of the need for strong and efficient municipal government prepared not only to meet the needs of our citizens but also to serve the city in its role as a regional center.

We have learned the hard way that neglect of maintenance functions over time results in the accumulation of problems and greater than normal cost increases which must be dealt with in a single year. A more rational approach to budget planning is to

allow expenditures to grow gradually as needs arise, while always bearing in mind the financial demands being placed on our taxpayers. This is the approach that I recommend for 1980 and for future budgets.

Even with a more rational budget approach, however, the economic facts indicate that the size and scope of government we maintain — that we must maintain — to support Pittsburgh as a regional center cannot be supported on the kind of tax base we are now permitted. As I have pointed out in my letter to the Pennsylvania Tax Commission, the Commonwealth must move into the 20th century of municipal finance with consideration of some form of broad based tax and revenue sharing program to regionalize responsibilities. It should not be done because we are looking for someone to pay our bills. This government has demonstrated in the last ten years the ability to economize and restructure programs to live within its means and to attract the kind of federal and state dollars that permitted Pittsburgh to stretch its resources to the fullest. But there is only so much economizing and stretching a municipal corporation can do before its customers are no longer well served. And our customers are not only the 450,000 people living in the City but are the 3,000,000 area residents who look to Pittsburgh for commercial, employment, educational, health and recreational opportunities. I have asked the Tax Commission to give regionalization of responsibilities its highest priority but have also indicated that our patience for real tax reform is beginning to wear thin. We expect specific action in 1980 and 1981.

One of the challenges you and I must meet now is the 1980 operating budget, which stands today at \$180.5 million. While there are a host of statistics that can be used in analyzing the budget, I think the most significant number is that, excluding the CETA program transfers, which include the final \$1.1 million for assumption of the EMS program — the operating budget is actually up 11.8%, just keeping pace with the rate of inflation. For a government that provides a broad service mix with payroll, utilities and fuel the principal ingredients, this increase is not unreasonable.

What is unreasonable is that we are required to finance the impact of inflation on the cost of city services with a revenue base that has grown only 1.8%.

The budget increases fall into two categories: mandated, or those that automatically go with a service oriented government, and policy changes — those that you and I have to decide and which represent the kind of challenges that I spoke of earlier.

In the first group are salary increases to help city workers keep pace with the cost of providing for their homes and families (\$8 million); benefits and compensation requirements (\$1.7 million); reserves for judgements and civil liability cases pending (\$1.1 million); utilities (\$1.4 million); fuel (\$833,000); disposal of water treatment sludge as ordered by EPA (\$440,000); chemicals for the water system (\$300,000). There are others throughout the budget but these are the increases which are necessary to continue operating the scope of the government as it now exists.

The other group of increases, the policy considerations, include a continued assumption of a portion of the CETA funded employees with the heaviest expenditures for emergency medical services and recreation and park maintenance as well as craft maintenance personnel serving all city government (\$3.9 million); a major increase in the vehicle replacement program to move the city toward a sensible replacement schedule (\$1 million) along with an expanded professional maintenance program (\$725,000); we have already decided to implement the street phone system which, while it will increase the budget by \$200,000 this year, will lead to the elimination of a costly and inefficient fire alarm box system; a new police identification and record program will not only free four police officers for street duty but also will provide a more efficient criminal detection and processing system (\$200,000.) Finally, I am recommending that we implement a change in the city computer system which will cost an additional \$250,000 in the first year only but will lead to highly improved tax collection, more efficient accounting and management as well as expanded op-

portunities for immediate access to information which is important to our administrators and to the public.

In the next month your debate will, no doubt, center heavily on this second group of increases. The amount of additional revenue required will of course depend on the outcome of your budget review. The tax package I am proposing — a 1% increase in the Wage Tax, a 20% increase in Water Rates, and one additional mill on the Business Privilege Tax — will provide an additional \$19.6 million and will support the total request being submitted at this time. Directors will provide City Council with full explanations of departmental requests as they have to me. I am convinced that these policy changes will help the City meet the challenge of facing the 1980's.

All of us must devote our efforts in the year ahead to broadening the tax base — not only as we have done through the various development and housing programs, but also by assuring that the burden is spread to all of the beneficiaries.

We do this not so that the city residents escape their fair burden of city expenditures but rather so that our residents pay only their fair share of the burden.

The challenges facing us immediately are most difficult personally and politically. The leaders of this city have always met the challenge before and, I believe, we will again — together. Indeed, I am confident that we have already laid the ground work.

As we meet the challenges in the 80's we will also have the excitement and satisfaction of seeing Pittsburgh grow and prosper — in our neighborhoods and business districts. We will see new and revitalized housing, parks and cultural centers. We will see expanded job opportunities through the various commercial and industrial developments. We will enjoy the recreational and social amenities that mean so much to the quality of human life.

The prospect of all of these makes me optimistic about the state of our city — today and in the future.

The Chair:

Thank you Mayor and Mrs. Caliguiri.

PRESENTATIONS

Mr. Bulls presented

No. 4227 Resolution providing for the issuance of warrants in favor of the Police Officers listed below, in the amount of \$11,821.80, in payment for travel and meals incurred while in training; and providing for the payment thereof.

Also

No. 4228 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg, and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219, in the amount of \$488.40, in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law; and providing for the payment thereof.

Also

No. 4229 Resolution transferring \$200,000.00 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees, and \$50,000.00 from Code Account No. 1443-1, Salaries and Wages, Regular and Temporary Employees, Division of Park Police, to Code Account No. 1443-4, Premium Pay, Department of Police.

Which were severally read and referred to the Committee on Finance.

Also

No. 4230 Communication from Robert J. Coll, Supt. Department of Police requesting permission for Police Legal Advisor, John R. Smith to attend Police Civil Liability Workshop, Houston, TX, November 26-28, 1979, at a cost not to exceed \$800.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 4231 Resolution repealing Res. No. 642, approved August 2, 1976 as amended by Res. No. 94, approved February 17, 1978, as amended by Res. No. 228, approved March 8, 1979, entitled, "Resolution providing for a Contract or Contracts for the reconstruction of Crane Avenue from Saw Mill Run Boulevard to Beechview Avenue (PW 76-16); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also

No. 4232 Communication from Louis Gaetano, Deputy Director, Dept. of Public Works requesting reimbursement to Messrs. McNamara, McGee, Morotta and Rye, for travel expenses in aggregate amount of \$500.00 incurred in connection with attendance at meeting with Federal Highway Administration, Washington, D.C., October 16, 1979, payable from Code Account 1530, Misc. Services, Department of Public Works.

Which was read and referred to the Committee on Public Works.

Also

No. 4233 Resolution repealing Res. No. 1418, effective December 19, 1978, as amended by Resolution No. 103, effective February 16, 1979, entitled "A Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Replacement of Vacuum Sewer Cleaning

Machine and High Pressure Jet Rodder unit on existing chassis for the Department of Public Works; and for the payment of costs thereof".

Which was read and referred to the Committee on Supplies.

Mr. Coyne for Mr. Givens presented

No. 4234 Resolution authorizing for Urban Redevelopment Authority of Pittsburgh to acquire from the City of Pittsburgh, property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 4M, Lot 147 and that portion of Block 4H, Lot 77 located between Bailey Avenue and Bigbee Street.

Also

No. 4235 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Donald L. & Thelma J. Smith for the sale of Parcel 69C in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 4236 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, N.J. 07960, in the amount of \$14,400.00 in payment for installation of a temporary water supply from the 12" Forbes Avenue Bridge water main to the 50" water main in Boundary Street furnished for the benefit of the City.

Also

No. 4237 Resolution amending Res. No. 562 app. June 21, 1979 as amended by Res. No. 1038, app. Dec. 31, 1976 as amended by Res. No. 82 app. Feb. 15, 1977 amended by Res. No. 387 app. May 5, 1977 amended by Res. No. 531 app. June 10, 1977, amended by Res. No. 801 app. August 17, 1977, amended by Res. No. 1018 and 1019 app. Oct. 24, 1977, amended by Res. No. 1334 app. Dec. 30, 1977,

amended by Res. No. 726, app. June 30, 1978, amended by Res. No. 1422 app. Dec. 19, 1978 entitled: "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds" by decreasing appropriation for line item WD 77-10, increasing appropriation for line item WD 77-16 and creating 3 new line items WD 77-17, WD 77-18 and WD 77-19.

Which were read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 4238 Resolution providing for the transfer of funds, in the amount of \$8,000.00 from Code Account 1808, Equipment to Code Account 1806, Materials, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 4239 Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$9,450.21 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Also

No. 4240 Resolution authorizing the issuance of a warrant in favor of IBM Corporation in the amount of \$4,196.63 in payment for a Selectric Composer Typewriter acquired on a Lease/Purchase Agreement without previous authority of law.

Also

No. 4241 Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$16,060.75 for emergency repair work made without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Also

No. 4242 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$23,394.65 to Foss Ford, Inc., for emergency repairs to automotive equipment. Funds are available in Code Account 1150, Outside Repairs, Contract.

Which was read and referred to the Committee on Supplies.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 4243 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a motor boat and trailer for the Department of Police, and for the payment thereof.

Also

No. 4244 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture for the Department of Personnel and Civil Service Commission, and for the payment thereof.

Which were read and referred to the Committee on Finance.

Mr. Robinson for Mr. Stone presented

No. 4245 Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$683,432.76 by the execution of a lease evidencing acquisition of a Capital asset, establishing the useful life of the Project, and directing the filing of documentation with the Department of Community Affairs.

Which was read and referred to the Committee on Finance.

Mr. Robinson:

I have to suspend Rule 8, but before I do that I would just like to indicate that Mr. Coyne, Mr. Stone and myself have some concerns about suspending Rule 8 on this bill, therefore, while we are going to recommend that the rule be suspended, there may be a possibility that it will have to be held next Wednesday because we feel the size of this project and its implications are such that it would need more than one week to consider it.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also

No. 4246 Resolution providing for the issuance of a \$1,500.00 warrant in favor of Robert M. and Charlotte E. McCarthy in settlement of claim for damage, and providing for the payment thereof.

Also

No. 4247 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission requesting permission for Gladys Russell, Doug Spencer and Liz Keegan of that department to attend EEOP Program Directors Workshop, Long Beach, CA, November 27-29, 1979, at a cost not to exceed \$2,050.00, payable from CETA Trust Fund - EEOP, federal funds.

Also

No. 4248 Communication from Richard S. Caliguiri, Mayor, requesting permission for Benjamin Hayllar to attend meeting of Governor's Justice Commission, Harrisburg, PA, which was previously

scheduled for November 19, 1979 and has been rescheduled for November 13, 1979, at a cost not to exceed \$190.00, payable from Code Account 1017, Misc. Services, Mayor's Office.

Also

No. 4249 Communication from John H. Bingle, Jr., President, Civil Service Commission submitting the annual report as required in Section 6 of the General Civil Service Act. The report covers the period January 1, 1978 through December 31, 1978.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4250 Report of the Committee on Finance for November 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4092

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Surfway Asphalt Paving Co., 881 Flemington St., Pittsburgh, Pa. 15217, in the amount of \$2,300.00 in payment for the demolition and removal of the 3 story frame dwelling and 1 story iron clad garage located at 843 Inwood St., 12th Ward, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4126

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Baltimore and Ohio Railroad Company in the amount of \$13,646.84 in payment for reconstruction of the Baum Boulevard Bridge and providing for the payment thereof."

Which was read.

Also,

Bill No. 4127

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pennsylvania Department of Transportation in the amount of \$19,362.60 in payment for the City of Pittsburgh's share of costs of the Rehabilitation of Legislative Route 02260, Spur I (40th Street Bridge), and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4128

A Resolution entitled, "Resolution transferring the amount of Three Thousand (\$3,000.00) Dollars from and to various Code Accounts within the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, on Bill No. 4128, I question the legality of the bill. I may be off base, and I would appreciate it if someone might address the problem, is it not illegal to be using Capital dollars for Operating Budget projects — should that not be prorated? Perhaps Mr. Coyne might address that.

Mr. Coyne:

What exactly is the question?

Michelle Madoff:

Bill, we've talked before about the Capital Budget, and on Bill No. 4128, if you take a look at it it appears to me that we are transferring money into the Operating Budget part of Engineering when those dollars are Capital dollars which should be on a pro-rated basis, and I wonder about the legality of that bill.

Mr. Coyne:

I doubt that that is the intent of the bill, I don't think—

Michelle Madoff:

Well, if you take a look at it, that is what we are doing—we are taking money out of the operating to pay Capital dollars and on the Capital dollars, you know, we prepare for or we allow for engineers and that should be on a pro-rated basis. We could be really in legal trouble with the Federal Government.

Mr. Coyne:

It seems to me that those code accounts are all within the Operating Budget.

Michelle Madoff:

But they are being used for capital improvements and my understanding is that we are not allowed to do that without pro-rating, perhaps Mr. Stone might clarify this. I could be wrong on this particular bill, but that is a concern that many of us have discussed. Bill and I have discussed this previously.

Mr. Stone:

I don't see any problem.

Mr. Coyne:

These are transfers within the Operating Budget code accounts.

Michelle Madoff:

But what we are doing is we are mixing operating monies with capital dollars and we are not really allowed under law to be paying people working on capital projects that are also working on operating with pro-rating the dollars.

Mr. Coyne:

Yes, but that is not what this is doing. This is not Capital Budget money being spent for salaries. This is Operating Budget money being paid for salaries and then transferring it to do it.

Michelle Madoff:

Then there are no capital dollars or engineering—my understanding is that most of our engineering projects are on capital dollars.

Mr. Coyne:

Well, these dollars may well be spent on engineering projects and there is nothing wrong with that, as long as it is Operating Budget money.

Michelle Madoff:

Well, I just wanted to raise the question because you and I have talked about this before and I know the reporters are talking about it and I am a little concerned and I thought since I saw that I would ask.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4137

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James Karis, Inc., 3231 West Carson Street, Pittsburgh, Pa. 15204, in the amount of \$2,784.00 in payment for razing and removal of 2-1/2 story frame dwelling located at 412 Burgess Street, Ward 26, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 4138

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Rovitto Wrecking, 2614 California Avenue, Pittsburgh, Pa. 15233 in the amount of \$2,300.00 in payment for razing and removal of 2 story frame dwelling and 1 story frame shed located at 500 Cherryfield Street, Ward 26, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 4139

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Surfway Asphalt Paving Co., Inc., 881 Flemington St., Pittsburgh, Pa 15217, in the amount of \$900.00 in payment of contract for the demolition and removal of concrete block garage at rear of 17 Alameda Street, Ward 15, without previous authority of law and providing for payment thereof."

Which was read.

Also,

Bill No. 4143

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dormont Manufacturing Company, in the amount of \$725.00 in payment for a Steam Bundle (Retube Heat Exchanger) needed for emergency repair to the domestic hot water system in the Public Safety Building, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4155

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Highway Equipment Company, P.O. Box 15038, Pittsburgh, Pennsylvania, 15237, in the amount of \$1,595.80 in payment for repair of a back-hoe loader furnished for the benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. glally	Mr. Stone
Michelle Madoff	Mr. DePasquale
(Pres't)	

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4158

A Resolution entitled, "Resolution transferring the amount of \$17,000.00 to Code Account 1854, Coal and Oil, from Code Account 1858, Concession Purchases, all within the Zoological Park Commission."

Which was read.

Also,

Bill No. 4159

A Resolution entitled, "Resoluton transferring the amount of \$3,000.00 to Code Account 1852, Miscellaneous Services, from Code Account 1852-1, Promotional Expenses, all within the Zoological Park Commission."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
(Pres't)	

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4170

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg & Hodge, Court Reporters in the amount of \$630.25 in payment for Stenographic transcript of a hearing regarding the appeal of Matthew Patterson which was held on August 23 & 28, 1979 furnished for the benefit of the City without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
(Pres't)	

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4171

A Resolution entitled, "Resolution authorizing and directing the City Controller to transfer the sum of \$30,239.39 from CETA Trust Fund, federal funds to Capital Account LB 77-08 to pay for CETA portion of costs incurred in the renovation of offices of the Department of Personnel and Civil Service

Commission, fourth floor, City-County Building."

Which was read.

Also,

Bill No. 4172

A Resolution entitled, "Resolution providing for an Agreement with Pittsburgh Opportunities Industrialization Center for the implementation of the Comprehensive Employment and Demonstration Projects Act (YCCIP Youth Community Conservation Improvements Project) and providing for payment of the costs thereof."

Which was read.

Also,

Bill No. 4200

A Resolution entitled, "Resolution further amending Resolution No. 1587, approved December 29, 1978, effective January 1, 1979, as amended, entitled, 'A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1979,' by making additional appropriations in the Water Fund, \$54,631.00 to Code Account 1750, Chemicals; \$180,000.00 to Code Account 1703, Utilities; and \$160,000.00 to Code Account 1702, Municipal Obligation for Non-City Water Agencies."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4209

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$7,120.19 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes	8	Noes	none
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And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4211

A Resolution entitled, "Resolution transferring the sum of Twenty Thousand (\$20,000.00) Dollars from Code Account Number 1411, Salaries & Wages, Bureau of Automotive Equipment, Department of Supplies to Code Account Number 1126-1, Premium Pay, Department of Supplies."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bull	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 4251 Report of the Committee on Public Works for November 7, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4130

A Resolution entitled, "Resolution providing for a Contract or Contracts in connection with the Kennebec Street Sewer Reconstruction (PW 76-33); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 4131

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Professional Engineering Firm for Engineering Services, in conjunction with Wenzel Avenue, Broadway to Banksville; plan, land acquisition IPW 78-03); and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally for Mr. Givens presented

No. 4252 Report of the Committee on Planning, Housing and Development for November 7, 1979, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3940

A Resolution entitled, "Resolution authorizing the Mayor to enter into a

Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to act as the Fiscal Agent of the Blight Prevention Program '80-'81, and providing for code enforcement and demolition services by the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Robinson:

I have a question on Bill No. 3940, when this bill was in Committee a concern was raised as to whether or not items from the 1980 Budget that had not yet been approved by Council, could be included in applications to be forwarded to the State or Federal Government seeking funds. It was my understanding that we were going to get some clarification on that prior to Bill No. 3940 coming to a final vote.

Mr. Perry:

We haven't received anything.

Mr. Robinson:

We haven't received anything?

The Chair:

Were we waiting for something from the Law Department?

Mr. Robinson:

It was my understanding that we were going to check with the Law Department and the Treasurer. At least, my concern was, that if indeed we have not approved the 1980 Budget, that we could not use figures in that proposed budget to support our applications for funds from the Federal or the State Government. I thought that this was a prime example.

Mr. Coyne:

Mr. President, was that on the demolition Bill?

Mr. Robinson:

No, it was on Bill No. 3940.

Mr. Coyne:

It had to do with demolition funding?

Mr. Robinson:

No, it had to do specifically with requesting funds from the State Government or the Federal Government and whether or not we could include in their projections, the budget projections for the year 1980, it was my understanding—

Mr. Coyne:

We did get that opinion on demolition funding of HUD.

Mr. Robinson:

Correct.

Mr. Stone:

Now what was happening in this one, was that we were making an application to the Department of Community Affairs and we were telling them in advance, in 1980 we would put money in the budget, we haven't voted on the budget.

Mr. Robinson:

Right.

Mr. Stone:

They seemed to indicate, the impression that I got at that time was that as long as you are projecting it, they said they could get away with it. I sort of questioned the legality on that aspect of it. How you can go in advance and say you are going to do something when you haven't done it, until a final vote, I don't know, but, that is where it was.

The Chair:

Do you want to recommit it?

Mr. Robinson:

Well, I think until we get an answer on that, because my concern was there would probably be other applications coming up where the same situation would occur, that we would be making reference to either the 1980 Budget, or '81, '82 or '83.

I move to recommit Bill No. 3940.

Michelle Madoff seconded the motion.

Mr. Robinson:

Just a moment, Mr. President, Mr. Stone and I sort of got this squared away. The item that is underlined in the copies that the Members of Council have of Bill No. 3940, was that portion of the bill that was added by Council when this discussion came up. We felt this was the best that we could do. Mr. Stone has indicated that while he still has some reservations, he feels that we can go ahead and submit it. Evidently Community Affairs feels it would be okay. I still have some reservations, but if Council feels that we ought to go forward with it it is okay with me.

Mr. Stone:

It has a control amendment to it, so it is okay.

Mr. Robinson:

I therefore withdraw my motion.

Michelle Madoff:

I withdraw my second.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 **Noes** none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 4253 Report of the Committee on Supplies for November 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 4165

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of correcting typewriters for the Department of Personnel & Civil Service Commission, and for the payment thereof."

Which was read.

Also,

Bill No. 4166

A Resolution entitled, "Resolution providing for a contract or contracts for the furnishing, delivery and installation of an Alarm System for the Vault located in the Front Cashier Cage, First Floor, City Treasurer's Office, City-County Building to the Police Communications Room, Third Floor, Public Safety Building; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4167

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the furnishing and delivery of various Emergency Medical equipment (ladders, stretchers, etc.) for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 4168

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (storage cabinet, secretarial furniture, etc.) for the Department of Personnel and Civil Service Commission, and for the payment thereof."

Which was read.

Also,

Bill No. 4210

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Keystone Spring Service, Inc., in the amount of \$1,436.13 for emergency repair work made without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4254 Report of the Committee on Lands and Buildings for November 7, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4144

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) anchor on City property fronting on Royal Street, 26th Ward."

Which was read.

Also,

Bill No. 4145

A Resolution entitled, "Resolution providing for a License to Duquesne Light Company for the installation of one (1) pole and one (1) anchor on City property fronting on Crane Avenue, 20th Ward."

Which was read.

Also,

Bill No. 4149

Resolution amending Resolution 1023, approved 8/28/78 for the sale of property in the 20th Ward on Sacramento Street to Thomas C. Spangler and Mary E. Spangler, his wife, for \$750.00 for the reason to sell under Act 787 of 1937 instead of Act 514 of 1947 as the City can sell their interest only due to the City's acquisition of said property.

Which was read.

Also,

Bill No. 4150

Resolution repealing Resolution No. 281, approved 5/10/76, which authorized the sale of

property in the 17th Ward on St. Paul Street to Edward J. Reick and Linda J. Reick, his wife for the sum of \$150.00. Purchaser failed to comply with agreement of sale and hand money of \$150.00 is to be forfeited.

Which was read.

Also,

Bill No. 4151

Resolution repealing Resolution No. 885, approved 9/26/77 for the sale of property in the 14th Ward, rr. Forward Avenue, to Edmund J. Golvash and Elizabeth Golvash for the sum of \$500.00 for the reason the city cannot give marketable title. Hand money of \$100.00 to be returned to purchasers by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 4152

Resolution repealing Resolution No. 1052, approved 12/31/76 for the sale of property in the 5th Ward to the Triumph Church and Kingdom of God in Christ for the sum of \$2,150.00. Hand money in the amount of \$215.00 shall be forfeited.

Which was read.

Also,

Bill No. 4153

Resolution repealing Resolution No. 361, approved 5/5/77, for the sale of property in the 19th Ward, rr. of Ruth Street, Block 4-L, Lot 121, to Felix Cimillo and Maria Cimillo, his wife for the sum of \$250.00. Hand money of \$250.00 to be forfeited as purchaser failed to comply with agreement.

Which was read.

Also,

Bill No. 4154

Resolution repealing Resolution No. 664, ap-

proved 7/18/77 for the sale of property in the 7th Ward on Pierce Street, Block 84-J, Lot 217 to Carl Kohlman for the sum of \$150.00. Purchaser failed to comply with agreement of sale. Hand money of \$100.00 is to be forfeited.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Lally
Michelle Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Stone:

Mr. President, if I may. I would like to go back to this leasing just for one second. Mike (Perry), I think you ought to tell Mr. Yatch in advance that we'd like him to be prepared to talk about this thing tomorrow. I think there ought to be a letter to all directors. When we are talking about major expenditures we ought to have more than two days in which to look at the thing. We ought to have some more input than just two days on it. Also on these things where they are waiving the rules, so that we are not going through the full ten days, if it is that important we should have gotten it before time. I think we ought to set a pattern that will start slowing down the waiver of that rule in the future.

One other thing that I would like to cover if I may, Mr. President, is that in the South Side of the City of Pittsburgh we have with the Equitable Gas project tied up Carson Street and Sarah Street. It started with a little bit of digging and the next thing that has happened is that it is all over the place right now. They decided to dig trenches all over. They have always kidded in the past about the Works Program Administration—WPA, but this project is twice as slow. I don't know that we can afford in the City of Pittsburgh to let the length of time pass where someone is in our cartway as long as Equitable Gas has been over there. For their own purposes I don't know how in the heavens they make money staying out in those two streets as long as they have, as it is right now. But the thing that bothers me more is that the City of Pittsburgh with it's input, the South Side Chamber of Commerce and the community councils have been working to get that whole area cleaned up at great expense to them and to the City of Pittsburgh. In return, because of Equitable Gas doing what they are now doing, they are getting a dirty place, they are obstructing access to their business and they are losing money. That just does not make any sense. If and when they ever do finish the street as it is right now, we are probably going to have a patchwork of spots and other problems because they won't be able to restore the street to where it is. I

would like to have the Equitable Gas people here, not tomorrow but next Wednesday, and also with Mr. Gaetano. I'd like it as soon as possible, Mike, to inform them of what the problem is. I want a copy of the permit that they took out for those two streets.

Thank you.

The Chair:

I would entertain a motion to excuse Mr. Givens for absence from this meeting, he is attending the funeral of a relative.

Mr. Lally moved to excuse Mr. Givens for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, November 5, 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, November 19, 1979

No. 46

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, November 19, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

MR. Bulls presented

No. 4255 Resolution transferring the sum of \$50,000.00 from Code Account 1420, Salaries and Wages, Department of Emergency Medical Services as follows: \$50,000.00 to the Emergency Medical Services Communications Project Trust Fund

for the purpose of purchasing approximately 7 two-way mobile radios.

Also

No. 4256 Resolution transferring the sum of \$50,000.00 from Code Account No. 1420-2 Wages, regular employee and overauthorized wages, Emergency Medical Services as follows: \$30,000.00 to Code account 1154, Motorized Equipment, Department of Supplies, for a portion of the cost to refurbish 10 EMS ambulances.

Also

No. 4257 Resolution transferring the sum of \$100,000.00 from Code Account 1443, Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 1461, Salaries and Wages, Regular and Temporary Employees, Department of Fire.

Which were severally read and referred to the Committee on Finance.

Mr. Coyne presented

No. 4258 Resolution providing for a contract or contracts for furnishing and installing a chain link fence on the Murray Avenue Bridge, between Burchfield Avenue and Flemington Street, private property; including seeding and sodding to prevent erosion, and other work incidental thereto; and providing for the cost thereof.

Also

No. 4259 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$55,000.00 to George J. Davis

Equipment Co., for specialized repairs to sewer vactor.

Also

No. 4260 Communication from Louis Gaetano, Deputy Director, Department of Public Works transmitting traffic regulations to be instituted for a 60 day trial period on Lacock Street and other streets listed therein, Trial period to begin October 31, 1979.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4261 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Messrs. Sproul and Smith to attend Community Development Block Grant Labor Standards Seminar, Monroeville, PA, December 10, 1979, at a cost not to exceed \$30.00 payable from Code Account 1979 Community Development Program.

Also

No. 4262 Communication from Ed DeLuca, Director, Department of City Development requesting permission for Paul Body to attend Council for Urban Economic Development 302 Grant Planning Seminar, Atlanta, GA, December 9-11, 1979, at cost not to exceed \$450.00, payable from Economic Development Planning Program Trust Fund.

Which were read and referred to the Committee on Finance.

Mr. Lally presented

No. 4263 Resolution authorizing reduction in retained percentage of payments made to Contractors from ten percent (10%) to five percent (5%), in connection with Carnegie Library of Pittsburgh, Wylie Avenue (Hill) Branch Project.

Which was read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4264 Resolution transferring \$52,900.96 from Code Account No. 1798, Accounts Payable Prior Years Water Department, to Code Account No. 1750 Chemicals.

Which was read and referred to the Committee on Finance.

Also

No. 4265 Resolution further amending Res. No. 1072, approved October 2, 1978, as amended by Res. No. 480, approved May 24, 1979, entitled "Providing for a contract or contracts for the purchase and installation of valves in various locations and providing for the payment of the cost thereof", by increasing the appropriations.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 4266 Resolution providing for an agreement or agreements with Brookline Area Community Council for the provision of insurance in connection with the Brookline Boxing Program and providing for the payment of the cost thereof.

Also

No. 4267 Communication from Louise Brown, Director, Department of Parks and Recreation requesting permission for herself to attend meeting with officials of Dept. of the Interior, Heritage Conservation and Recreation Service, Washington, D.C. November 21, 1979 at a cost not to exceed \$160.00, payable from Code Account 1801, Misc. Services, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4268 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,760.00 for the emergency purchase of unleaded gasoline without previous authority of law.

Also

No. 4269 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$23,394.65 for emergency repairs to City vehicles without previous authority of law.

Which were read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Tuesday.

Also

No. 4270 Resolution amending Res. No. 743, approved August 20, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing, delivery and refurbishing of Emergency Medical Vehicles, for the Department of Supplies, and for the payment thereof" by increasing the amount from \$82,000.00 to \$160,000.00.

Also

No. 4271 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$10,791.33 to Allied Chemical Co., for purchase of chemical alum used in Water Treatment Plant to be paid from Code Account 1750, Chemicals, Department of Water.

Also

No. 4272 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$3,547.44 to Allied Chemical Co., for purchase of chemical alum to be used in Water Treatment Plant, payable from Code Account 1750, Chemicals, Department of Water.

Also

No. 4273 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$6,957.50 to Allied Chemical Co.,

for chemical chlorine to be used in Water Treatment Plant, payable from Code Account 1750, Chemicals, Department of Water.

Also

No. 4274 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$14,566.36 to Foss Ford, Inc., for emergency purchase of specialized auto parts and equipment to repair City vehicles to be payable from Code Account 1148, Automotive Parts, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4275 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article XI, Property Taxes, Chapter 263, Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by enacting the annual levy on real estate and establishing rates of tax for lands and buildings.

Also

No. 4276 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246, Home Rule Tax, Section 246.02, Imposition of Tax, and Section 246.11, Effective Date, by changing the rate of tax from one-quarter percent ($\frac{1}{4}\%$) to one and one-quarter percent ($1\frac{1}{4}\%$) and by providing for a new effective date.

Also

No. 4277 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax from five mills to six mills.

Also

No. 4278 An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rates, Charges and Uses, Chapter 331, Usage Rates, Section 331.02, Metered Quarterly Water Rates, and Section 331.03, Un-

metered Water Rates, by changing the rates in Section 331.02 and by deleting Section 331.03.

Also

No. 4279 An Ordinance supplementing the Pittsburgh Code, Title Three, Water Article V, Rates, Charges and Uses, by adding Chapter 332, Unmetered Water Rates.

Also

No. 4280 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax.

Also

No. 4281 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate; Compliance, by changing the rate of tax from 20 percent (20%) to percent (%) and by deleting the word "Compliance."

Also

No. 4282 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 247.02, Tax Levy and Rate, by changing the rate of tax from six mills to mills.

Also

No. 4283 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax from four mills (\$.004) to mills (\$).

Also

No. 4284 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, by adding Chapter 256, the Home Rule Realty Transfer Tax, Sections 256.01 through 256.09.

Also

No. 4285 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, by adding Chapter 242, Home Rule Amusement Tax, Sections 242.01 through 242.06.

Also

No. 4286 An Ordinance supplementing the Pittsburgh Code, title Two, Fiscal, Article VII, Business Related Taxes, by adding Chapter 252, the Occupation Privilege Tax, Sections 252.01 through 252.07.

Also

No. 4287 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1980.

Also

No. 4288 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh, and the rate of compensation thereof.

Also

No. 4289 Resolution adopting the 1980 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds.

Also

No. 4290 Resolution transferring \$189,307.31 to Code Account 58, Municipal Pension Fund - Old from various Code Accounts.

Also

No. 4291 Resolution authorizing the Mayor to enter into an agreement or agreements with Action Housing, Inc. to provide for heaters on an emergency basis; providing for the payment thereof; and transferring the sum of \$3,500.00 from Code Account 42, Contingent Fund to Code Account

1027-3, Miscellaneous Services, Housing Clinic.

Also

No. 4292 Communication from David L. Donahoe, City Treasurer requesting permission for four representatives of the Treasurer's Department to attend meeting of Western Pennsylvania Chapter of Municipal Finance Officer's Association, December 12, 1979, at a cost not to exceed \$26.00 payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also

No. 4293 Communication from John E. McGrady, City Controller, submitting various Exhibits and Statements showing the financial condition of the Sinking Fund of the City of Pittsburgh as of September 30, 1979.

Also

No. 4294 Communication from John E. McGrady, City Controller, submitting an estimate of the probable Revenues the City of Pittsburgh may anticipate for the General Fund and also for the Water Fund for the year 1980, the Estimated Revenues for the year 1979, the Revenues Received for the year 1979, and a comparison of the 1980 Estimated Revenues with the 1979 Revenues Received.

Also

No. 4295 Communication from Community Development Block Grant Task Force requesting a hearing on the recommendations of the four task forces, particularly the recommendations regarding the citizen participation plan for 1980.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4296 Report of the Committee on

Finance for November 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4183

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Engineering Mechanics, Inc., in the amount of \$16,377.63 in payment for Emergency Work furnished for the benefit of the City in connection with the Royal Street earth mass movement; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4191

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny Engineering Company, in the amount of \$522.00 in payment for emergency service furnished for the benefit of the City in connection with the replacement of a defective condensor coil at No. 28 Engine Company; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	9	Noes	none
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And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4202

A Resolution entitled, "Resolution providing for earned vacation pay and compensatory time for the former Director of the Department of Water for the year 1979."

Which was read.

Mr. Stone:

Mr. President, I would like to amend Bill No. 4202 where it says "payable in a lump sum from Code Account 42, Contingent Fund" by inserting in lieu thereof, "payable in a lump sum from Code Account 1700-1, Premium Pay."

Mr. Robinson seconded the motion.

Michelle Madoff:

What is this money going to be used for, I unfortunately was not here.

Mr. Stone:

This is premium pay for the Director of the Department of Water.

Michelle Madoff:

I would just like to comment -- as everybody knows, Mr. Miller was somewhat compulsive and kept very fine records, but there is no record available of any of this overtime. I presume this is severance pay, and I think under the circumstances, because he was let go so abruptly, I will support the severance pay, but I think the terminology should be changed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 4204

A Resolution entitled, "Resolution transferring the amount of \$10,000.00 to Code Account 1851-1, Premium Pay from Code Account 1851, Wages, Regular and Temporary Employees, all within the Zoological Park Commission."

Which was read.

Michelle Madoff:

Who is this money going to?

Mrs. Masloff:

That is all overtime for regular employees.

Michelle Madoff:

Why are we having a lot of overtime at the Zoo, does anybody know?

Mrs. Masloff:

It is not necessarily the Zoo.

Mr. Stone:

Because we did not fill all the vacancies and we are over-abusing the rest of the employees.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 **Noes** none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4215

A Resolution entitled, "Resolution providing for the issuance of a warrant to Robert O. Payne and Eugenia M. Payne, his wife, in the amount of \$2,500.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 **Noes** none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4216

Resolution entitled, "Resolution providing for an Agreement or Agreements with private-for-profit businesses, or nonprofit organizations, to provide on-the-job training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

Mr. Stone:

Mr. President, I would like to amend Bill No. 4216 by inserting a new section to read as follows:

Section 2. The Director of the Department of Personnel and Civil Service Commission shall notify City Council of the donee of the grant prior to the awarding of said agreement or agreements.

and further that the former Section 2 will now be Section 3.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 4239

A Resolution entitled "Resolution authorizing the issuance of a warrant in favor of Allied Chemical Company in the amount of \$9,450.21 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 4240

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of IBM Corporation in the amount of \$4,196.63 in payment for a Selectric Compositor Typewriter acquired on a Lease/Purchase Agreement without previous authority of law."

Which was read.

Also,

Bill No. Bill No. 4241

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$16,060.75 for emergency repair work made without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4297 Report of the Committee on Public Works for November 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4184

A Resolution entitled, "Resolution entitled, "Resolution for an Agreement or Agreements for Engineering Services for the replacement of Forbes Avenue Bridge (PW 79-10); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 4185

A Resolution entitled, "Resolution setting aside and dedicating for public use, for highway purposes, certain property designated as Block 121-K, lot 241, of record in the Deed Registry Office of Allegheny County. and

located in the Tenth Ward of the Cit of Pitts-
burgh."

Which was read.

Also,

Bill No. 4231

A Resolution entitled, "Resolution repealing Resolution No. 642, approved August 2, 1976, as amended by Resolution No. 94, approved February 17, 1978, as amended by Resolution No. 228, approved March 8, 1979, entitled 'Resolution providing for a Contract or Contracts for the reconstruction of Crane Avenue from Saw Mill Run Boulevard to Beechview Avenue (PW 76-16); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes none Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4298 Report of the Committee on Planning, Housing and Development for November 14, 1979 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with affirmative recommendation,

Bill No. 3742 An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Chapter 921, Section 921.02, Zoning District Maps Numbered 12 and 17 by changing from 'R2' Two-Family Residence District to 'RP' Planned Residential Unit Development District all that certain property bounded by: Beacon Street, Lots Numbered 169, 283, Block 86-P in the Allegheny County Block and Lot System; Lots Numbered 6, 7, 14, 20 and 50 in the aforesaid system, 14th Ward."

Which was read.

Also,

Bill No. 3742

Bill No. 3743 A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 - (a) -A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Beacon Towers Housing Corporation, for construction of a six-story building to house 101 units of housing for the elderly on property having 280 feet of frontage on the northerly side of Beacon Street west of Murray Avenue being Lots 166, Block 86-P, in the Allegheny County Block and Lot System and Lots Numbered 54, 58, 68, Block 86-R in the aforesaid system, 14th Ward."

Which was read.

Also,

Bill No. 4140

A Resolution entitled, "Resolution amending Resolution No. 636 approved July 11, 1979, effective July 16, 1979, entitled, 'Resolution providing for an agreement with the Housing Authority of the City of Pittsburgh for the purchase and installation of closed circuit surveillance equipment at its facilities, in various locations, in the City of Pittsburgh,' by providing for the purchase and installation of other security materials and equipment."

Which was read.

Also,

Bill No. 4187

A Resolution entitled, "Resolution authorizing a Cooperation Agreement between the City and the Urban Redevelopment Authority of Pittsburgh for the implementation of the Citywide Revolving Loan Fund and providing for the costs thereof."

Which was read.

Also,

Bill No. 4188

A Resolution entitled "Resolution authorizing the Mayor and the Director of the Department of the City Development to enter into a contract or contracts with the Selck-Minnerly Group, Inc., for design work in connection with the Food District Development Study at a cost not to exceed \$12,000."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4299 Report of the Committee on Supplies for November 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4044

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks), less trade-in, for the Fire Department, and for the payment thereof."

Which was read.

Also,

Bill No. 4213

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a 35 ton removable gooseneck trailer for the Department of Public Works, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4214

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the furnishing and delivery of various office furniture (desks, chairs, etc.) for the Department of Police, and for the payment thereof."

Which was read.

Mr. Robinson:

Mr. President, I move that we recommit Bill No. 4214.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

I would like to take a moment to mention that City Councilman-elect Thomas Flaherty and also a famous attorney in the City of Pittsburgh, Sam Kamin, — nice to have you with us.

Michelle Madoff presented

No. 4300 Report of the Committee on Water for November 14, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4203

A Resolution entitled, "Resolution amending Resolution No. 893, approved October 4, 1979, entitled, 'Providing for a contract or contracts for water line relays in conjunction with the Reconstruction of the Herron Avenue Bridge South approach and Ruthven Street and providing for the payment of the cost thereof,' by changing the source of funding to the 1977 Capital Budget."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Masloff presented

No. 4301 Report of the Committee on Parks and Recreation for November 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4205

A Resolution entitled, "Resolution providing for a contract or contracts for the renovation of the Arlington Heights Recreation Center and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4206

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the purchase and installation of a new handrail for the electric walkway at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4207

A Resolution entitled, "Resolution amending Resolution No. 1558, effective December 31,

1978 entitled 'Providing for an Agreement or Agreements with architects or engineers for professional services in connection with the design of various swimming pools and bathhouse in the Department of Parks and Recreation, and providing for the payment of the cost thereof' by reducing the allocation from \$155,000.00 to \$65,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes none Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4302 Report of the Committee on Lands and Buildings for November 14, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4192

A Resolution entitled, "Resolution providing for the purchase, in lieu of condemnation of property for the new No. 10 Engine Company, West End, Department of Lands and Buildings, Capital Project No. LB 79-01, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 4193

A Resolution entitled, "Resolution amending Exhibit I of Resolution No. 1589, effective January 1, 1979, entitled: 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds' by re-allocating funds for the Department of Lands and Buildings."

Which was read.

Also,

Bill No. 4194

A Resolution entitled, "Resolution amending Resolution No. 247, approved March 14, 1979, effective March 19, 1979, entitled, 'Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizen Development Corporation, a non-profit organization, for the renovation of the First Floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizen Center and a limited purpose Credit Union, and providing for the payment of the cost thereof', by providing for a Supplemental Agreement/s with the Hill District Citizens Development Corporation increasing the amount provided for from \$75,000.00.

Which was read.

Also,

Bill No. 4195

A Resolution entitled, "Resolution providing for a License to Duquesne Light Company for the installation of one (1) pole and one (1) anchor on City property fronting on Arlington Avenue at Saint Patrick Street, 16th Ward."

Which was read.

Also,

Bill No. 4196

A Resolution entitled, "Resolution providing

for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 4197

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 4198

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Michelle Madoff:

Mr. Perry, on Bill No. 4198, what is that for, I'm sorry, I wasn't paying that close attention.

Mr. Perry:

That is for the sale of property in Mt. Oliver Borough.

Michelle Madoff:

It's another one of the Mt. Oliver.

Mr. Perry:

It was approved in Committee.

Michelle Madoff:

Question, Mr. President. I was not here unfortunately, why are we dealing in Mt. Oliver property? We didn't annex them did we?

Mr. Stone:

The City of Pittsburgh is acting as an agent for the taxing bodies.

Michelle Madoff:

Will we get reimbursed? And why are we acting as that agent?

Mr. Stone:

We are one of the taxing bodies who has tax against them.

Michelle Madoff:

I understand it is part of a bigger package, is that the situation? Is somebody going to get the bigger package?

Mr. Stone:

There are three taxing bodies, we are one of them --

Michelle Madoff:

That's not what I said, I said I understand the parcel is part of a large package and I'm sort of curious as to what is going to happen to the package?

Mr. Stone:

They are trying to sell it.

Michelle Madoff:

Like they did the lot on Bellefonte Street?

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I was not here and I may be touching on something that has already been addressed and if I am please tell me so. But, there was an article in the paper and unfortunately I don't have the date here, but it read, "Downtown buildings face steam heat loss" and I'm sure that City Council members are all concerned about that and I wondered if we had scheduled any kind of a hearing to meet with the steam heating company, Duquesne Light officials, Chamber of Commerce, Golden Triangle and anyone else who might be concerned because I don't think we want to wait until the day they shut down and say, "why didn't we think about some alternatives?" Was this discussed?

Mr. Lally:

Mr. President, as you know we have discussed this problem two or three years ago, in fact the time we came back from Boston, looking at the Sargis plant in Boston -

The Chair:

The Solid Waste Program.

Mr. Lally:

Right, the Solid Waste Program - at which time we had planned, or hoped to buy the Allegheny Steam System from Duquesne Light for the City to use, but the cost was too much - to maintain the system.

It has been looked into again, Michelle, yes.

Michelle Madoff:

Well, what I'm saying is that I don't think anybody here would be having the parties I just mentioned to meet with us here in Council Chambers to start planning ahead -

Mr. Lally:

Duquesne Light would be very happy to meet with us -

Michelle Madoff:

Well, I'm talking about the Golden Triangle, the people who represent the Chamber of Commerce, the small business associations.

Mr. Lally:

Most of the buildings in town now--

The Chair:

Mr. Perry please contact Mr. Robin and see if that committee is still intact and if not, let's appoint another committee because we received only one report and I criticized that - I don't want to go into detail -

Mr. Lally:

We never did get the final results.

The Chair:

We got no final results and we don't even know if that committee is still meeting or is still active. I'd like to find out if it is and if it isn't I think we ought to appoint a committee - you make a good point.

Michelle Madoff:

Well, I would like Council in general, those of us that are interested to meet at sort of a Post Agenda or some scheduled hearing with the bodies that I have just mentioned and do it after the first of the year.

The Chair:

Well, it doesn't have to be done tomorrow, if I read the article correctly, you are talking about the next 10 or 15 years.

Michelle Madoff:

On another matter -- it has come to my attention that we may have a problem we ought to be looking into, perhaps Mr. Stone can guide me in this. It seems that we have put liens out this year against more properties -- tax liens -- than any other time. The figure that I got was 29,000 properties and we have 140,000 properties that we actually receive real estate taxes from.

The second information I had is that by accident the computer pulled the non-taxable bodies, but when I went back to verify the information, I was told that yes, indeed, this was an unusual large number and I wondered if at some point during our deliberations on the budget whether we shouldn't early on find out if indeed that is 27 percent of our taxing entities. If indeed it is that high, and if it isn't, how high is it and what impact will it have on the budget?

Mr. Coyne:

Mr. President, I find it very difficult to understand how it could be 29 percent of the tax billings for this year when we already are up to something like 95 percent of our collections for 1979 on real estate taxes. I would think that based on what I know, and found out on those bills that went out, it is a collection of people who in the past -- you know, over the years -- have not --

Mr. Stone:

You can't lien them until three years have passed.

Michelle Madoff:

That's right, three years.

Mr. Coyne:

...who have not paid in the past, who in fact may have paid in 1979, but not in the past years.

Michelle Madoff:

I'm sorry Bill, you are absolutely right.

Mr. Coyne:

I think that is how you can accumulate a percentage of 29 percent or something, but when you have a 95 percent rate of collection as we do to date in 1979, I don't think it is for the current year.

Michelle Madoff:

Bill, you are absolutely right, I didn't finish, it was '76, '77, and '78 and they don't know. The question I also asked is what percentage have we got for this year and they didn't have the figure you just gave me, I asked for that specifically.

Mr. Coyne:

Well, that is in our Controller's report that comes monthly.

Michelle Madoff:

But I'm saying that they didn't know in the last quarter what would be happening and they did say that the people are paying the '79 but haven't paid '76, '77 and '78. They are combining the three years and I just think it might be of interest because of the kind of comments that have come back to me, they are that it is a choice of paying for heating, eating or taxes and I think based on the land tax on the increase on the small people last year, we might just want to know from somebody what the real status is since we are in the budget hearings.

Mr. Coyne:

Well, as I say, collections for real estate tax this year are running just as well as they have in any other year -- 95 percent.

Michelle Madoff:

Well, what about '76, '77 and '78?

Mr. Coyne:

'76, '77, '78 -- I think is where you accumulate a backlog. That is where the backlog accumulates.

Michele Madoff:

Well, we do want to collect that backlog don't we?

Mr. Coyne:

I think that is why they are sending out the bills.

Michelle Madoff:

I'd like to know what is happening with it at some point, perhaps during budget time -- that is my point.

Mr. Stone:

Mr. President, last Friday, Mr. Gaetano, the Director of Public Works and Mr. McGee, the City Engineer and I attended the Board Meeting of the Port Authority of Allegheny County in regards to Arlington Avenue and Warrington Avenue in the Allentown area of the City of Pittsburgh. One of these streets could very well be another Grandview and that is why it is of importance to the City of Pittsburgh. This matter has been on our Capital Budget for in excess of some five or six years, in planning even longer than that. This Council has withheld the transfer of funds from that project in order to get it moving and due to Council's efforts, progress has been made and the engineering has been started and is almost done. As of next year, 1980, we could be awarding some contracts relative to those particular avenues. We have a problem however, with the Port Authority as to its use of these particular roads as emergency routes for its light rail transit.

We have been attempting to get a definitive answer on that one issue for two years through staff and not being forthcoming, we then finally decided to go to the Board itself.

The Port Authority has said emergency, but is that one or two tracks, is it emergency or is it used daily? And even as of last Friday, that was not defined. This affects the parking and obviously affects the FAU qualifications for the City of Pittsburgh depending if the transit uses most of the highway, therefore it then becomes a transit

problem, could obligate the Port Authority to contributing something like three to seven million dollars and that would obviously be up front money.

After our presentation, the Board then voted to get an answer from staff by next month, mainly December of 1979 and we are hopeful to get an answer to that issue so that we can move on. I am hopeful now that this matter will resolve itself.

The Chair:

Thank you Mr. Stone. I would like to take the prerogative of the Chair -- I attended a conference this morning -- a press conference at St. Boniface Church and I know someone is going to say it is the ongoing serial of East Street but it was a very important one. It was brought out by the HEART organization that there happens to be a device known as the Housing of Last Resort which has been part of the eminent domain code since 1972. In short, if this act had been put into force, many of those people who had been moved out of that area and had to take on new mortgages or higher mortgages, would have been given a lot more money. The money was available and apparently PennDOT was aware of it and didn't enforce it and therefore cheated those people out of several hundreds of thousands of dollars and that being the case, I would like to strongly urge this Council to pass a resolution, at least I think the Attorney General of the State of Pennsylvania can do -- Beaster, I believe is his name -- is to conduct some sort of an investigation and find out, if these facts are correct, why the act wasn't enforced and why these people were deprived of this money.

In my estimation, it is a criminal act and criminal charges should be brought. I find it hard to believe that the PennDOT officials knew and wouldn't enforce it but they seem to have everything that they did know and the people at HEART would like to have the thing pursued.

Mr. Stone:

What is that word you used -- something of last resort?

The Chair:

Housing of Last Resort, apparently, Bob, if they didn't relocate them in a certain period of time, they were entitled to a certain larger amount of money and when this happened they didn't inform them, they didn't give them the larger amount, and many of them, many elderly people, reitred people, had to go into a mortgage or a larger mortgage than they cared to go into when perhaps some of those mortgages could have been avoided or the amount could have been less.

Mr. Stone:

I'm not familiar with that terminology, but they did have a \$15,000 sub pay and because there was a delay, that \$15,000 became useless.

The Chair:

If you recall, that has been going on now for 20 years, they started to move people out of there I believe about 12 years ago, so we are going back to '72 which is approximately 7 years ago when they added to the eminent domain code, the Housing of Last Resort, which again, only granted them more money, or extra compensation, when they failed to relocate these people within a certain period of time and apparently when this happened no one informed them that they had more money coming. To the best of my knowledge and anyone else's, no one received one dime of that money of which they were entitled to.

Mr. Stone:

Mr. President, the fear I have with East Street, and I don't think there is any secret to that, there is only one way out for them and that is forward. I am just a little fearful that anything we do may retard the progress that is essential there.

The Chair:

Bob, I agree with you one hundred percent. I think everyone in that valley agrees with you, they are at the point now where they want to get out anyway. But you have to go back, what do you do with those people

who were cheated, and they literally, were cheated -- are we just to sit by and say, "hey they were cheated" and let it go at that?

Mr. Stone:

Let me suggest this if I may. There are still some people who at one time were told they were going, they sweated out that whole period, didn't move, just waited to be taken and not yet have they been taken. May I suggest that your resolution be addressed first to the Secretary of Transportation to see what they are going to do about the balance of those people so that we can get that project going and then I think that there is still time to try to go back and correct those others.

I would not like to have that as a condition precedent.

The Chair:

I share your sentiments, I thought the very same thing Bob, another roadblock, they will never get that thing completed if it goes on and on, but at the same time, I think that to continue to purchase property in that area and clear that area out, and also we are looking at a matter of why did those who had just compensation, didn't get it?

Mr. Stone:

I think I agree with you in parts, but I think the method we have to watch, because I think right now the Transportation Department would gladly accept any excuse not to spend any more money in that area, and I think that doesn't help the citizens in that area nor the City of Pittsburgh, I think that project ought to be on a priority basis, we ought to complete it because it ties a lot of things together.

Michelle Madoff:

Mr. DePasquale, I think that we are talking apples and oranges and I don't think it will make any impact on what PennDOT does. I think the Governor has stated that he is committed to finally putting that highway through and if indeed what you said is true and I think that is what you are saying, you are asking the question, s there validity to

the claim, was there monies the people were to receive and didn't receive and I don't know whether it is within our purview as members of Council, we have legal counsel, can we ask an attorney, whether we pay them or not we have a couple who would do this for us, Sam Kamin was just here, I'm sure if we asked him as a favor to Council, would he check into that item or Leonard Mendelson who gave us some advice here on PPG, Gratis, if we had asked them, in a letter, if Mike Perry would say -- the terminology I don't recall -- Last Resort dollars, would he please advise Council as to whether these people were legally entitled to that money, Council would like to know that. Once we know it, then we can take that as a separate and apart issue and I would support that we ask for that information, would you agree with that?

The Chair:

I think you and Mr. Stone make good

points and we will follow on both leads, Mr. Perry would you do that?

Michelle Madoff:

You are becoming such a diplomat.

Mr. Stone moved to approve the minutes of Monday, November 13, 1979.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, November 26, 1979

No. 47

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAEY Ass't City Clerk

Pittsburgh, Pa.
Monday, November 26, 1979

PRESENT:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT:

Mr. Givens Mrs. Masloff

PRESENTATIONS

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Coyne presented

No. 4303 Resolution providing for the issuance of a warrant in favor of the Mosites Construction Company, in the amount of

(\$7,250.00) in payment for extra work furnished for the benefit of the City in connection with the temporary repairs of the Columbus Avenue Bridge over Warner Street, Consolidated Rail Corporation tracks, private property, and other work incidental thereto; and providing for the payment thereof.

Also

No. 4304 Resolution providing for the issuance of a warrant in favor of Duquesne Light Company, in the amount of \$1,800.00 in payment for Emergency Electrical Service work furnished for the benefit of the City in connection with The Reconstruction of Fifth Avenue and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 4305 Resolution providing for a contract or contracts for the reconstruction of the Frantum Street Bridge over Saw Mill Run Creek, private property, and other work incidental thereto, and providing for the payment of the cost thereof.

Also

No. 4306 Resolution providing for a contract or contracts for the replacement of the Spahr Street Footbridge over Conrail Tracks and other work incidental thereto; and providing for the payment of the cost thereof.

Also

No. 4307 Resolution vacating Gallatin

Street, from Butler Street to Autumn Street in the 10th Ward of the City of Pittsburgh.

Also

No. 4308 Resolution accepting the dedication of London-Towne Drive as shown and dedicated on the London-Towne Plane of Lots No. 2 in the 19th Ward of the City of Pittsburgh, by Concept Realty Enterprises, Incorporated, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing the grade, and accepting the grading, paving, curbing and sewerage thereof.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4309 Resolution providing for the issuance of a warrant in favor of James Karis, Inc. 3231 West Carson Street, Pittsburgh, PA 15204 in the amount of \$5,894.00 in payment for razing and removal of 2 story brick dwelling located at 140-45th Street, Ward 9, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4310 Resolution approving application for Preliminary Loan for Low-Rent Public Housing.

Also

No. 4311 Resolution amending Res. No. 303 of 1979 providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Development Action Grant Program, by increasing the total allowable cost to \$6,140,000.00.

Also

No. 4312 Resolution authorizing and directing the Mayor and the Director of the Department of Housing to enter into an agreement or agreements, in a form ap-

proved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for a Multi-Family Housing Counseling Service for up to three Multi-Family Developments as an assist in carrying out its services to renters under its Community Development Program, and providing for the payment of the costs thereof.

Also

No. 4313 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Downtown Racquet Club, Inc., for the sale of Parcels C-1 and C-2 in the 3rd Ward of the City of Pittsburgh.

Also

No. 4314 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James R. Herring, Jr. and Constance Herring for the sale of Parcels 115 and 115A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4315 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library/Institute of Pittsburgh for the removal of Architectural Barriers to improve physical accessibility for the elderly and physically handicapped, and providing for the payment of the costs thereof.

Also

No. 4316 Resolution amending Res. No. 1589, approved Dec. 29, 1978, effective Jan. 1, 1979, entitled: "Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds," by changing the amounts allocated—decreasing Capital Project 79-05, Carnegie Library, Central Branch and increasing Capital Project 79-06, Carnegie Library, Miscellaneous Renovations.

Also

No. 4317 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also

No. 4318 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also

No. 4319 Resolution amending Res. No. 856, approved 9/29/79 which authorized the sale of property in the 5th Ward on 2041 Centre Avenue, and 507 Erin St., Block 10-N, Lot 287, by deleting the name of Ewari Ellis and inserting in lieu thereof the name of Shirley A. Berry.

Also

No. 4320 Resolution repealing Res. No. 1252, app. 12/23/77 which authorized the sale of property in the 13th Ward on Baxter Street, Block 174-M, Lot 303, Purchasers King Basking and Alva J. Basking his wife have failed to comply with agreement sale. Hand money of \$150.00 will be forfeited.

Also

No. 4321 Resolution repealing Res. No. 540, app. 7/18/77 authorizing the sale of property in the 6th Ward on Paulowna St. to Larry Cabell for the sum of \$150.00, being Block 25-M, Lot 246. Purchaser has not complied with agreement, hand money of \$150.00 will be forfeited.

Also

No. 4322 Communication from Harold West, Director, Department of Lands and Buildings requesting repeal of Council Bill No. 3456 of 1979 requesting interim approval of payment of \$385,000.00 for work in connection with construction to improve physical accessibility at Carnegie Library/Institute.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4323 Resolution transferring the sum of \$5,000,000.00 from the Water Fund to the General Fund of the City of Pittsburgh.

Which was read and referred to the Committee on Finance.

Also

No. 4324 An Ordinance supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.09, Smoking on Public Conveyances Or In Retail Stores by renaming the section "SMOKING ON PUBLIC CONVEYANCE, RETAIL STORES OR ELEVATORS," and by adding Sub-Section (c), ELEVATORS.

Which was read and referred to the Committee on Public Safety.

Also

No. 4325 An Ordinance amending the Pittsburgh Code, Title Three - Water, Article III, Water Distribution, Chapter 313, Water Meters, Section 313.03. REMOTE READING DEVICE, INSTALLATION AN PAYMENT, by setting a price of \$50.00 on additional meter equipment to be used in reading meters remotely.

Which was read and referred to the Committee on Water.

Michelle Madoff:

Mr. President, on my second item, we would like to amend the Code to put No Smoking signs in the shelters at the Zoo and in the elevators of the City-County Building. I would like to send this bill down to the Law Department and ask them if we could do that.

My concern is of putting them and having them there. Each year we put out a couple of hundred dollars for the signs and it is necessary to have them. As I understand it, it is the law and you have to have them.

Mrs. Masloff presented

No. 4326 Resolution amending Res. No. 48 - effective January 27, 1977, entitled "Providing for the construction of a new Playground in Spring Hill, at a cost not exceeding \$30,000.00 in the Department of Parks and Recreation and providing for the payment of the cost thereof" by decreasing the authorization to Six Thousand (\$6,000.00) Dollars.

Also

No. 4327 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of purchase of one pair of Gnus for exhibit at the Pittsburgh Zoo. Total cost not to exceed \$6,000.00.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4328 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (modular style) for the Department of Housing, and for the payment thereof.

Also

No. 4329 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (file cabinets, desks, etc.) for the Bureau of Employment Training, Department of Personnel and Civil Service Commission, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4330 Resolution providing for the issuance of a \$800.00 warrant to Leonard G. and Linda M. Zucco in full settlement of claim for property damage; and providing for payment thereof.

Also

No. 4331 Resolution providing for the issuance of a \$7,910.60 warrant to George J.

Miller in full settlement of claim for damage; and providing for payment thereof.

Also

No. 4332 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1980 in accordance with Pittsburgh Code, Title Two Fiscal, Article II, Depositories.

Also

No. 4333 Resolution providing for an Agreement or Agreements for Computer Processed Microfiche Services in connection with Water and Sewage Tax Information Records; and providing for the payment of the cost thereof.

Also

No. 4334 Resolution amending the schedule attached to Resolution 1000 of 1979 which was an amendment to Resolution 1589 of 1978 adopting the 1979 Capital Budget.

Also

No. 4335 Resolution providing for the filing of an application by the City of Pgh. with the United States Dept. of Labor, Employment and Training Administration, Office of Welfare Reform, for a grant in connection with the Employment Opportunities Pilot Project, funded under CETA Title II D; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the CETA-EOPP Trust Fund.

Also

No. 4336 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission requesting permission for herself and Judy Milliken to attend training session on merit system standards for CETA Administrative staff, Harrisburg, PA, December 6-7, 1979, at a cost not to exceed \$400.00, payable from CETA Trust Fund, federal funds.

Also

No. 4337 Communication from David L. Donahoe City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositors to secure same of October 31, 1979.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4338 Report of the Committee on Finance for November 20, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4245

A Resolution entitled, "Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$683,432.76 by the execution of a lease evidencing acquisition of a capital asset, establishing the useful life of the Project, and directing the filing of documentation with the Department of Community Affairs."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Coyne:

Mr. President, I would like to address myself to Bill No. 4245, it is the bill that files with the Department of Community Affairs with regard to the new container type program in the Bureau of Environmental Services.

I talked, after last Wednesday's meeting, with George Whitmer and Mr. Hairston from the Department of Environmental Services and what we have agreed to do is to recommend to Council that the money be taken for the purchase of them, from unused Bond Funds of a prior year. Mr.

Albert from our Engineering Department is looking into where that money will come from.

This is also with the understanding that in the legislation that finally approves the purchase of the equipment, it be stipulated in there what neighborhoods of the City and in what areas the drop boxes will be used and if it is to be expanded beyond that, that the Administration come to Council and inform us where the new locations are going to be so that we can incorporate them as a part of the legislation.

The Chair:

Do you want to make amendments to that respect?

Michelle Madoff:

Do you want this bill withdrawn?

Mr. Coyne:

No, this bill, we approved and we will go ahead with.

Michelle Madoff:

But you hope to wipe it out by buying it as opposed to doing it as rental.

Mr. Coyne:

No, all this does is file with the Department of Community Affairs for indebtedness.

Michelle Madoff:

But we don't have to do that if we buy it outright.

Mr. Coyne:

No, I think we have to do it anyway.

Michelle Madoff:

I don't think so Bill, I think that that was why we were going this route and at some point we could convert it.

Mr. Coyne:

Well, if we are going to use Bond Fund money as we had discussed, it is my judgement that you probably would have to do this.

Michelle Madoff:

But we could convert anyway.

Mr. Coyne:

The Treasurer is here, we would not have to do it Mr. Donahoe?

Mr. Donahoe:

No, if you are using these Bond Funds, that has already been recorded. You may have to amend some previous bond sale. With this resolution, if you are not going to sign that lease, then there is no need.

Mr. Stone:

Yes, but you are going to need the advance so you can have your alternative. In the event that we have any problems on the Bond, you want this thing to have that alternative in the event that doesn't work out.

Mr. Donahoe:

You could pass this and if for some reason you don't do it—

Mr. Coyne:

We can pass this now and then if we use some other form of funding, then we can repeal this —

Michelle Madoff:

This would be a stand-by in case we can't find the money in the Capital Budget, right Bill?

Mr. Coyne:

Right.

The Chair:

Do we get that back in about two weeks in regards to the —

Mr. Coyne:

Well, Eddie (Albert) is working on it now to come up with funding to purchase.

Mr. Stone:

As of right now, there is no money for it unless we give it in the Budget of 1980. This thing is contingent on us deciding to do that, but not requiring us to do it. What Bill is saying is that they still don't have it, but if we have some unencumbered monies in old Bond Funds, then we may take that course for funding.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 **Noes** none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4227

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of the Police Officers listed, in the amount of \$11,821.80 in payment for travel and meals incurred while in training; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4228

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Morse, Gantverg, and Hodge, Suite 419, the Bigelow, Pittsburgh, Pennsylvania 15219 in the amount of \$488.40, in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)
Ayes 7	Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4229

A Resolution entitled, "Resolution transferring \$200,000 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees, and \$50,000 from Code Account No. 1443-1, Salaries and Wages, Regular and Temporary Employees, Division of Park Police, to Code Account No. 1443-4, Premium Pay, Department of Police."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4236

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, NJ 07960, in the amount of \$14,400.00 in payment for installation of a temporary water supply from 12" Forbes Avenue Bridge water main to the 50" water main in Boundary Street furnished for the benefit of the City."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4237

A Resolution entitled, "Resolution amending Resolution No. 562, approved June 21, 1979 as amended by Resolution No. 1038, approved December 31, 1976, as amended by Resolution No. 82, approved February 15, 1977, as amended by Resolution No. 387, approved May 5, 1977, as amended by Resolution No. 531, approved June 10, 1977, as amended by Resolution No. 801, approved August 17, 1977, as amended by Resolution No. 1018 and 1019, approved October 24, 1977 as amended by Resolution No. 1334, approved December 30, 1977, as amended by Resolution No. 726, approved June 30, 1978, as amended by Resolution No. 1422, approved December 19, 1978 entitled: 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds' by decreasing appropriation for line items WD-77-10, increasing appropriation for line item WD-77-16 and creating 3 new line items WD-77-17, WD-77-18, and WD-77-19."

Which was read.

Also,

Bill No. 4238

A Resolution entitled, "Resolution providing for the transfer of funds, in the amount of Twenty-Two Thousand (\$22,000.00) Dollars from Code Account 1808, Equipment, to Code Account 1806, Materials, Department of Parks and Recreation." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4246

A Resolution entitled, "Resolution providing for the issuance of a \$1,500.00 warrant in favor of Robert M. and Charlotte E. McCarthy in settlement of claim and damage, and providing for the payment thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 4246, I had two meetings with the Law Department today, with Mr. Pellegrini and if you look closely, we are paying \$1,500 for excessive salting during '78 and '79, if indeed we started to pay for people having damage to the sidewalks, you could take Mt. Royal Road which I live on and do one complete side over, you could take my driveway and pay for that.

I checked with him and the story on this is that, it appears that what happened there is that supposedly the cement wasn't cured sufficiently and it appears that they also put in cement — which I didn't know — as long as the weather is over 32 degrees and rising. This is what happened and test cases in court have indicated that the City is not liable for paying for salting of damaged sidewalks. I thought we ought to put that in the record so we don't have 7,000 people, including my street, coming forth and saying, "me too." This was an unusual situation according to the Law Department.

The Chair:

Thank you.

Also,

Bill No. 4268

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,760.00 for the emergency purchase of unleaded gasoline without previous authority of law."

Which was read.

Also,

Bill No. 4269

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$23,394.65 for emergency repairs to City vehicles without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Lally for Mr. Givens presented

No. 4339 Report of the Committee on Planning, Housing and Development for November 20, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3845

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to use the existing structure located at 7211 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc. for an Institutional facility on property zoned 'R4' Multiple-Family Residence District identified as Lot No. 131, Block 175-A in the Allegheny County Block and Lot System, 14th Ward."

Which was read.

The Chair:

Due to the fact that we only have seven members of Council present and Bill No. 3845 requires seven votes for passage, I would like amotion from one of the Councilmembers to recommit Bill No. 3845.

Mr. Coyne:

Could you elaborate on that Mr. President?

The Chair:

Bill, there are seven votes required for passage of that particular bill and polling the Councilmembers, one Councilmember for sure was either going to vote against it or abstain and it would have been defeated. I think it is only fair on a close vote like this that all members should be present, I think we owe that much to the people that petitioned for this.

Mr. Lally:

Also, Mr. President, the Chairman requested this, he is attending the League of Cities Convention and had requested that we recommit this for a week.

Michelle Madoff:

And Sophie Masloff had emergency surgery, nothing too serious but she is not here.

Mr. Stone:

Mr. President, if I may on this particular

bill, it was my understanding, from that hearing at least, that the citizens did not object to the kind of facility that is there, nor to this particular organization. They did have an objection to the fact that there were 13 there and this would be number 14, I think the comment is a good one and I think the citizens in their criticisms were on target, they had a legitimate complaint.

The Chair:

But, they may compromise to eliminate two of those homes —

Mr. Stone:

Yes, but it is now my understanding that some three to six of those facilities that were there before are no longer active and it was my understanding that either the citizens indicated that if two of them at least minimum were non-active that they would not object to this one, but I would like to have someone give us something in writing, I haven't seen — Mr. Givens gave us an oral report. I would like to see some comment coming from Mr. Lurcott indicating what is active and what is not.

Mr. Lally:

I think the Chairman has that Bob.

Mr. Stone:

Fine.

Mr. Coyne:

If this is recommitted, it will be on next week's agenda for a vote, right?

The Chair:

Yes.

Mr. Stone moved to recommit Bill No. 3845.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 4234

A Resolution entitled, "Resolution

authorizing the Urban Redevelopment Authority of Pittsburgh to acquire from the City of Pittsburgh, property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 4M, Lot 147 and that portion of Block 4H, Lot 77, located between Bailey Avenue and Bigbee Street."

Which was read.

Also,

Bill No. 4235

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald L. & Thelma J. Smith for the sale of Parcel 69C in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4340 Report of the Committee on Supplies for November 20, 1979, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4233

A Resolution entitled, "Resolution repealing Resolution No. 1418, effective December 19, 1978, as amended by Resolution No. 103, effective February 16, 1979, entitled, 'Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Replacement of Vacuum Sewer Cleaning Machine and High Pressure Jet Rodder unit on existing chassis for the Department of Public Works; and for the payment of costs thereof.'"

Which was read.

Also,

Bill No. 4243

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a motor boat and trailer for the Department of Police, and for the payment thereof."

Which was read.

Also,

Bill No. 4244

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture for the Department of Personnel and Civil Service Commission, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Robinson
Mr. Coyne	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff for Mrs. Masloff presented

No. 4341 WHEREAS, after 32 years of distinguished service as Recorder of Deeds of Allegheny County, Mr. John Exler has announced his retirement from this office; and

WHEREAS, Mr. Exler's concern for social well being has enriched the lives of many people throughout the City of Pittsburgh and Allegheny County; and

WHEREAS, his sincere dedication in bringing high social and moral standards to public office and the responsible manner in which he served will be missed by people throughout the County of Allegheny, though the spirit of his work will remain.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Members of the council of the City of Pittsburgh, on behalf of the Citizens of Pittsburgh, hereby recognize and salute Mr. John Exler for his 32 years of distinguished service as Recorder of Deeds of Allegheny County.

BE IT FURTHER RESOLVED that this Council wishes to thank Mr. Exler for his integrity, diligence, and dedicated service to the ideals of public office and to the citizens of Pittsburgh and Allegheny County, and wish him health and happiness in his retirement.

Which was read.

Michelle Madoff moved for approval.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, I would like to bring to the attention of Council, a petition I have with 750 signatures on it, which is not a request, it is a demand, I would like to read it:

"We, the undersigned, patrons of the North Side, City of Pittsburgh Farmers Market, demand that the Market location on West Commons remain at this location

and that operations for services not be reduced."

As I understand it, this petition is being submitted in response to the plans of the City to move the Farmer's Market to the strip district. I suggested to the petitioners that they bring this matter up at our Citizens Meeting relative to the City budget and to make their comments specifically on what the City Planning Department and City Development are going to do relative to the Farmer's Market.

The Chair:

I have two questions to ask Mr. Robinson, number one, I understand the City is going to put a building on that spot where they are now, so they are saying they can move to another location, am I correct?

Mr. Robinson:

Well, I think —

The Chair:

Is there any problem with continuing the Market over there and also having one in the strip area?

Mr. Robinson:

I think this is why the petitioners need to come forward and present their alternatives to Council. They have had an opportunity to speak with representatives of the City Development Department and have been in communication with them relative to why the present Farmer's Market is going to be moved. I have not seen or heard anything relative to the suggestion that you have made. It would appear to me that that is reasonable inasmuch as there are other lands available on the North Side that possibly could accommodate some sort of small Farmer's Market.

I would like to present the petition to the City Clerk.

Mr. Coyne:

Mr. President, with regard to that site on the North Side, I think it is about three or four years ago that we actually approved money for the URA to construct a shelter

over there and I think if we take a look at that that money is probably still there, not spent for the very purpose that we were asked to give approval for.

The Chair:

That's right, the shelter was not built there.

Michelle Madoff:

Mr. President, I have several items that I would like to bring to the attention of Council.

I was talking to Mr. Cosentino earlier about the problem at the Brashear Reservoir that is used as a swimming pool and we have, as you know, in the budget, \$125,000 to have a demonstration of a reservoir cover. He wanted to know, and it might be worth looking into, I'm sorry Sophie isn't here today, but perhaps Mike could write a letter or a memo to Louise Brown. Do we have any swimming facility for people in the Brashear area, I'm not familiar with any, does anybody know of any? He feels that maybe if we give them a place to swim they wouldn't use the reservoir.

Mr. Stone:

That's not the same Brashear that I am familiar with, that is the north side Brashear.

Michelle Madoff:

I think that would be worth pursuing, would we ask Louise Brown to let us know if we could perhaps have some swimming facilities there so that we don't have them swimming in the reservoir.

On another matter — many of you may have read the morning's paper, the editorial in the Post Gazette about the Duquesne Light, Cheswick scrubbers.

The Chair:

I don't read the Post Gazette since they didn't endorse me.

Michelle Madoff:

I'd be happy to enlighten you. There is

going to be an emergency meeting tonight at the Air Pollution Bureau of the Advisory Board and I believe tomorrow a meeting at the Board of Health.

The County Commissioners in their infinite wisdom have decided to ask the Environmental Protection Agency not to mandate that Duquesne Light put in a scrubber because presumably, and I question that, since I've dealt with them for many years, the cost will be a million dollars for the scrubber, added on to our bills.

Presumably where the Commissioners want to allow it in Allegheny County is that the effluent doesn't come down in our County it comes down in Westmoreland County. But this is very interesting because the State of Pennsylvania is now going to sue the State of Ohio because their garbage is coming down in our area.

Before I read the editorial and before I had an invitation to that emergency meeting tonight I was going to ask this Council to enter either an amicus or to take its own lawsuit against Ohio because we have been very good in this community — be it dragging, cricking and screaming to the bargaining table, there have been consent orders and consent decrees in this County, but it is very difficult to be competitive and to keep jobs here when Ohio doesn't have to put in the same controls and therefore they can make their product and produce their energy a lot cheaper. I think that is something that Council ought to consider seriously.

Now, sometime ago I brought to Council the thought of listening to the attorney who is handling the lawsuit against the Corps of Engineers for the United Steelworkers of America on the South Side and it was agreed that we would listen before we would make a decision as to whether we should enter as an amicus. They have called to ask when they could come to Council and as you know, because of the budget and because of many hearings, we are pretty well loaded Mike (Perry), until the first of the year. I wonder if it would be, with Council's approval and with yours, Mr. President, could Mr. Kennedy who is the attorney, speak to us for say 10 minutes, make it a restricted time, after Monday's meeting, that is next Monday, so that we could enter because his concern is

that we are going to have so many loss of jobs in this area because of the Conneaut proposal and because of many other factors, imports and so on, in the near future, as you have been reading, U.S. Steel is talking about shutting down some of their facilities, J & L is talking about cutting back, even though they have had a record profit this year. I think that we certainly ought to protect our citizens and the loss of potential jobs and we ought to at least listen and then decide what action, if any, we want to take on any of these matters and could we have him come on Monday, would that meet with the approval of Council?

Mr. Stone:

We have something on Monday.

Michelle Madoff:

I mean, as of, right after we meet, our regular meeting.

Mr. Stone:

I don't have my budget schedule handy, we've been picking up all those times.

Michelle Madoff:

But we would restrict this to whatever time you wanted to allow, say, 5, 10, 15 minutes, whatever you felt was a reasonable time.

The Chair:

Why can't we have that on Wednesday?

Michelle Madoff:

I think you have a time problem — a scheduling problem.

Mr. Stone:

It might be better that last week of December.

Michelle Madoff:

Well, he is very interested in having us decide rather quickly, because it seems by that time it might be after the fact and we are going to see a lot of shut-downs. I'm just asking, I was going to ask you privately and I

tried to reach you Mr. President and I couldn't connect with you. Why don't you let me know yourself, Mr. President, and I'll let him know, whatever is convenient to Council.

The Chair:

Fine.

Michelle Madoff:

I have a couple of other items — for a month now, I have asked Steve George, and he informs me by mail, that indeed, he has spoken to Brophy about an emergency fund that could be used out of URA, I think it was Mr. Stone's suggestion, when the people in Elliot and West End had a problem and I wanted to put in next year's budget, \$100,000 so that anybody in the city having that kind of problem, locked in between Equitable and the City who don't have the insurance could be reimbursed and when we fight it out and decide who's fault it is then we could be reimbursed and I think it was Mr. Stone's suggestion, and a good one, that Mr. Steve George and URA, there was some kind of a home improvement fund that would provide us with some kind of — perhaps provide us with this kind of provisal. I have asked for that for, it's got to be three months, and I finally sent another memo and I also mentioned on the memo that I had sent it on to the media. I'm hoping that something will happen and I would appreciate if you could use your influence as President of Council to get an answer to that.

My last item which is probably the most serious one, maybe not serious in magnitude but, I am very distressed that as a member of Council, it is true that we are not the Administrative Branch of Government, but we do legislate and if we don't know what is going on it makes it very difficult to legislate. I don't know how many other members of Council know what I've heard, but it is a fact that the City has been ripped off for something like 30,000 linear feet of cable in the Public Works Department. It was cable that shouldn't have been ordered, Jack Ruff did not want it ordered, it was ordered and after it was ordered it became even more valuable because it was copper and he had suggested and I think they spoke to him long distance just the other day, that we ought to sell it to some suburb because it has now gone up in value.

There are too many things happening in the operations end of the Public Works Department. I don't want to hear it second, third and fourth hand — I think that is the kind of thing that if the Mayor knows, we should know. There is an investigation going on now, a police investigation. I don't know what that is going to show, but I certainly think that that kind of thing and the business of people writing their own exams which we read about in the papers and we hear from other sources, and not the way Council should be informed.

The reason I think it is important to Council is that we still legislate. I would suggest in next year's budget that we legislate that there is a job where someone has control of stock, so that you don't have every supervisor with a key. Every supervisor can have access to the material, many of the men, probably, in my understanding, and this is hearsay, but my understanding is that they do moonlight, they do work in the evenings, having access to this kind of equipment and it is a long story of productivity, people who want to work 8 hours a day sometimes are prohibited from working 8 hours because they can't lay their hands on the supplies, that they are not readily available. Maybe we need to have a stock control person and somebody who keeps everything in place so people can just come in and get what they need to expedite matters. But I am distressed to hear that we have that kind of — it is \$40,000 worth of equipment incidentally.

I really feel that this is not the way to run a city, to keep things from Council. I'm not making an accusation — the police are downstairs right now talking to Lou Gaetano having an investigation — there is no secret about it, did you know about this Bill?

The Chair:

With our reputation, they are liable to blame some Councilperson for stealing the cable.

Michelle Madoff:

Did you do it "Jeep"?

The Chair:

Remember, I can't lift anything heavy you know.

Mr. Lally:

Mr. President, I would like to ask Mr. Perry to arrange for the photographer to take a picture of the full Council between now and the end of the year.

The Chair:

Mr. Perry, would you take care of that.

Mr. Stone moved to excuse Mrs. Masloff and Mr. Givens for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, November 19, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, December 3, 1979

No. 48

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, December 3, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT:

Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to make an announcement — I received a telegram from a party in the Point Breeze area that is opposed to the shelter house for the abused or battered

woman. I don't know if the party is here or not, but I want to make it clear that we do not hear from groups when we are ready to vote on an issue because a public hearing was held and everybody was notified and Council heard all the facts and certainly can now make a determination.

Thank you.

PRESENTATIONS

Mr. Bulls presented

No. 4342 Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, Pennsylvania 15222, in the amount of \$538.00, in payment for numbering and repairing Police badges furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4343 Communication from Robert Coll, Superintendent, Department of Police, requesting permission for two detectives from the Department of Police to attend Homicide Investigation Seminar, University of Delaware, Dec. 10-14, 1979, at cost not to exceed \$1,050.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 4344 Resolution transferring the amount of \$41,500.00 from various Code Accounts to Code Accounts No. 1501, Premium

Pay, and 1612, Materials; all accounts within the Department of Public Works.

Also

No. 4345 Resolution transferring the aggregate sum of \$180,000.00 from various Code Accounts into Code Account 1612-4, Salt, Department of Public Works.

Which were read and referred to the Committee on Finance.

Also

No. 4346 Resolution amending Res. No. 486, effective May 29, 1979, entitled, "A Resolution providing for a contract or contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurring and other work incidental thereto, PW 79-01; and providing for payment thereof; by increasing the amount authorized and including the utilization of existing contracts.

Which was read and referred to the committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 4347 Resolution authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an agreement or agreements with the commonwealth of Pennsylvania providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City Limits.

Also

No. 4348 Communication from Louis Gaetano, Deputy Director, dept. of Public Works, requesting permission to attend U.S. Conference of Mayors-Association of

American Railroads Urban Rail Conference, Chicago, IL, December 7, 1979, at a cost not to exceed \$300.00, payable from Code Account 1530, Miscellaneous Services, Department of Public Works.

Which were read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4349 Petition from Pennsylvania Alliance for Jobs and Energy requesting a public hearing on the proposed tax abatements and Bill No. 3979.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Also

No. 4350 Resolution providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc. in the amount of \$224,000.00 as partial payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street, and Itin Street; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4351 Resolution providing for a cooperation agreement or agreements with the Borough of Greentree for improvements by the Borough of access roads to the Parkway Center Shopping Mall in connection with the City's Parkway Center UDAG Project; and providing for the payment of the cost thereof.

Also

No. 4352 Resolution amending Res. No. 953 approved October 25, 1979, effective October 30, 1979, entitled "Authorizing a fourth

Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the conveyance of Public Properties, dedication of a public park, correction of map references, and updating of financial arrangements" by adding authorization to transfer certain Community Development Block Grant Funds to the Urban Redevelopment Authority of Pittsburgh for construction of a swimming pool and related appurtenances.

Also

No. 4353 Communication from Paul Brophy, Director, Department of Housing, requesting permission to attend meeting of Senate Committee on Urban Affairs to discuss legislation on tax exempt mortgage financing powers of local government, Harrisburg, PA, December 5, 1979, at cost not to exceed \$150.00, payable from Code Account 1371, Miscellaneous Services, Supplies, Materials, Repairs and Equipment, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 4354 Resolution providing for the issuance of a warrant in favor of The Monongahela connecting Railroad Company, 3540 Second Avenue, Pittsburgh, PA, 15219 in the amount of \$1,809.39 in payment for Flagmen Service furnished for the benefit of the City in connection with locating the washout on the 36" water line at the 34th Street river crossing and providing for the payment thereof.

Also

No. 4355 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, NJ, 07960, in the amount of \$5,529.00 in payment for Repair to a 12" water main beneath the Forbes Avenue Bridge and providing for the payment thereof.

Also

No. 4356 Resolution providing for the issuance of a warrant in favor of Sciulli

Brothers, Inc. in the amount of \$1,850.00 in payment for installation of two brick water valve manholes at Dallas & Hamilton Avenues and Jordon Way & North Millvale Avenue furnished for the benefit of the City in connection with City Controller Contract No. 23555-F, and providing for the payment thereof.

Also

No. 4357 Resolution transferring \$2,500.00 from Code Account No. 1700, Salaries & Wages, Regular Employees to Code Account No. 1701, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

Also

No. 4358 An Ordinance amending a portion of the Pittsburgh Code, "Title Three - Water, Article III - Water Distribution, Chapter 317, Waste of Water, Section 317.01, Owner Maintenance of Private Water Service Lines" by adding the term and/or gate valve."

Which was read and referred to the Committee on Water.

Also

No. 4359 Resolution providing for a contract or contracts with a professional Heating Engineering Company for the purpose of regulating the heating system in the City-County Building and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Lands and Buildings.

Mrs. Masloff presented

No. 4360 Resolution providing for the transfer of funds, in the amount of \$9,700.00 from Code Account 1830, Salaries, Regular Employees, to Code Account 1800, Salaries, Regular Employees, to meet necessary salary costs.

Which was read and referred to the Committee on Finance.

Also

No. 4361 Resolution providing for a contract or contracts or the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 4362 Resolution providing for an agreement or agreements for architectural, engineering or other professional services in connection with the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also

No. 4363 Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$30,000.00.

Also

No. 4364 Resolution providing for a Supplemental Agreement with the Allegheny County Institution District amending the Agreement between the parties dated January 2, 1979, by extending the term of the Agreement to June 30, 1980.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Stone for Mr. Robinson presented

No. 4365 Resolution transferring the aggregate sum of \$400,000.00 from various code accounts to code accounts within the Department of Supplies, as listed below.

Also

No. 4366 Resolution transferring the total amount of \$397,000.00 from certain City Departments to various Code Accounts, Department of Supplies.

Also

No. 4367 Resolution transferring the aggregate sum of \$241,000.00 from and to

code accounts within the Department of Supplies.

Which were severally read and referred to the Committee on Finance.

Also

No. 4368 Communication from Lawrence Yatch, Director, Department of Supplies, requesting interim approval of payment of \$13,693.23 to Foss Ford, Inc. for emergency repair work for Bureau of Automotive Equipment. Funds are available in Code Account 1150, Outside Repairs Contract.

Which was read and referred to the Committee on Supplies.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone presented

No. 4369 Resolution providing for the issuance of a warrant to James B. Martin, Jr., care of Harry N. Sydor, Esquire, 1030 Grant Building, Pittsburgh, Pennsylvania 15219, in the amount of \$900.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 4370 Resolution providing for the issuance of a \$1,624.82 warrant to Frank J. and Mary U. Mangieri in full settlement of claim for damage; and providing for payment thereof.

Also

No. 4371 Resolution transferring the sum of \$2,000.00 from Code Account No. 1016, Salaries, Regular Employees, Mayor's Office to Code Account No. 1018, Supplies, Mayor's Office.

Also

No. 4372 Resolution authorizing and directing the City Controller to transfer the sum of \$100,000.00 from Code Account No. 45, Health Insurance, Municipal Employees, to Code Account No. 54, Group Insurance Plan, Municipal Employees.

Also

No. 4373 Resolution transferring the sum of \$25,000.00 between code accounts within the Department of the City Controller.

Also

No. 4374 Resolution providing for an agreement or agreements with Coopers & Lybrand for Professional Services in connection with a Requirement Study for Financial Management Information System for the City Controller and providing for the payment of the cost thereof.

Also

No. 4375 Resolution providing for an agreement or agreements with various agencies but not limited to Community Action Pittsburgh, Inc.; Goodwill Industries of Pittsburgh, Inc.; Educational Programs Diocesan School District of Pittsburgh; Bidwell Cultural and Training Center, Inc.; Opportunities Industrialization Center, Inc.; Pittsburgh Building Construction Industry Administrative Committee for Research, Education and Training, Inc.; Pittsburgh School District; and Allegheny County Chapter-Pennsylvania Association for Retarded Citizens for the implementation of the Comprehensive Employment and Training Act, Title II, Part B, and providing for the payment of the costs thereof.

Also

No. 4376 Communication from John Gabriel, Ex. Director, Commission on Human Relations, requesting permission for James Johnson to attend U.S. Department of Justice Conference on Police-Minority Cooperation, Silver Spring, Maryland, December 11-13, 1979, at cost not to exceed \$375.00, payable from Code Account 1035, Miscellaneous Services, Commission on Human Relations.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4377 Report of the Committee on Finance for November 2, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4255

A Resolution entitled, "Resolution transferring the sum of \$50,000 from Code Account 1420, Salaries and Wages, Department of Emergency Medical Services as follows: \$50,000 to the Emergency Medical Services Communications Project Trust Fund for the purpose of purchasing approximately 7 two-way mobile radios."

Which was read.

Also,

Bill No. 4256

A Resolution entitled, "Resolution transferring \$50,000 from Code Account 1420-2 Wages, Regular Employees and overauthorized wages, Emergency Medical Services as follows: \$30,000 to Code Account 1154, Motorized Equipment, Department of Supplies for a portion of the cost to refurbish 10 EMS ambulances; \$20,000 to Code Account 1423, Equipment, Department of Emergency Medical Services, to cover necessary equipment purchases through the end of the year."

Which was read.

Also,

Bill No. 4257

A Resolution entitled, "Resolution transferring the sum of \$100,000.00 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 1461, Salaries and Wages, Regular and Temporary Em-

ployees, Department of Fire and \$25,000.00 from code Account No. 1420-2, Wages, Regular Employees, Department of Emergency Medical Services, to Code Account No. 1461-2, In-Grade Pay, Department of Fire." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4264

A Resolution entitled, "Resolution transferring \$52,900.96 from Code Account No. 1798, Accounts Payable Prior Years, Water Department, to Code Account No. 1750, Chemicals."

Which was read.

Also,

Bill No. 4290

A Resolution entitled, "Resolution transferring \$189,307.31 to Code Account 58, Municipal Pension Fund - Old from various Code Accounts."

Which was read.

Also,

Bill No. 4291

A Resolution entitled, "Resolution authorizing the Mayor to enter into an agreement or agreements with Action Housing, Inc., to provide for heaters on an emergency basis; providing for the payment thereof; and transferring the sum of \$3,500.00 from code Account 42, Contingent Fund to Code Account 1027-3, Miscellaneous Services, Housing Clinic."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4378 Report of the Committee on Public Works for November 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4258

A Resolution entitled, "Resolution providing for a Contract or Contracts for furnishing and installing a chain link fence on the Murray Avenue Bridge, between Burchfield Avenue and Flemington Street, private property; including seeding and sodding to prevent erosion and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes	8	Noes	none
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 4379 Report of the Committee on Planning, Housing and Development for November 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3845

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, for authority to use the existing structure located at 7211 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc., for an Institutional facility on property zoned 'R4 Multiple-Family Residence District identified as Lot No. 131, Block 175-A in the Allegheny County Block and Lot System, 14th Ward.'"

Which was read.

Mr. Givens:

I would like to recommit this bill, several Councilmembers have approached me today and asked if we could look into taxation on this particular property and the phraseology that their use is "in lieu of taxes" — it is a tax that we can put on non-profit organizations and I would like Mr. Donahoe to come up this Wednesday and explain to us what we could gain or lose from this particular endeavor. I have talked to the people of the Women's Shelter and the other Councilmembers and I think one more delay would bear fruit, I would hope.

The Chair:

Are you talking about taxes we would lose if it is transformed—

Mr. Givens:

Yes, there are no taxes that the City can claim on this particular property — now, the

University of Pittsburgh, as I have been told, pays this type of tax to the City of Pittsburgh, it is in lieu of regular taxes and it is not 100% of, I wouldn't imagine, but it is something between 100% and wherever it lies. That is why I would like to talk to Mr. Donahoe to find out exactly what this means to us.

The Chair:

If we were to vote then for the home to be placed there, you are saying that we would lose those taxes.

Mr. Givens:

Yes, it could be a trendsetter Mr. President, for the fact that one-third of our land is non-taxable right now and something has to be done along the line someplace and this could be very interesting.

Michelle Madoff:

Mr. President, there are many people in the audience today who will not have the opportunity to speak because as you stated earlier there was a hearing held and they had the opportunity to speak. But, I think it is important to point out and I think Mr. Stone said it last time, that the people who did come to testify, seemed to indicate that it was necessary and they supported the concept of having the facility, for they didn't want to have more of the same types of facilities impacting in their area.

I would like to suggest for those that are listening that it might be worth their while to appeal to Council to change the zoning for that area. In other words, change it to an "R2" so that those who have permits to operate this type of facility in the area would be the only ones and they have declined from something like, I think, 14 to 5, the number we have in our office — there are only 5 of them now and anyone who would give up that permit by not utilizing, we understand some people do have permits for nursing homes but they have let them lapse, and for other facilities — this would prohibit them, it is my understanding of the matter — of coming back in and having this kind of facility. This would upgrade the zoning and again at some point, somebody, whether it is in the federal or state or county or city level, is going to have to look into all of us picking up the

responsibility. We can't impact on just one community. If all of it were spread evenly throughout the City into our one zoning, and I say that, you can come right next door to me, I think we have to all be good citizens and be willing to help those in need and be willing to share the responsibility and not have elitist areas, where again, only certain areas are impacted, and the way I would suggest — the people who are really vehemently opposed, you know there has been more lobbying amongst Councilmembers since we had the hearing than before it — letters to the editors, and telegrams and what have you.

I think one of the moves that would be constructive for the members of that community would be to petition Council to change — or the Zoning Board, to change the petition from their present zoning to an "R2" and I think that would solve a lot of the problems in the future.

Mr. Givens:

Mr. President, that has been done in many areas of the City and it is an option open to this particular neighborhood.

Michelle Madoff:

I thought perhaps if they didn't know someone ought to tell them.

The Chair:

I thought that part of the reason that they wanted to locate in that area — obviously this isn't the only place in the City of Pittsburgh they can locate — was due to the fact that they could acquire this property at a rather decent or low price. I could be wrong, but I thought this was part of their reasoning in locating there, because it was brought out, why don't you go somewhere else being there is such opposition there and they had said, we can't get this kind of a buy anywhere else in the City of Pittsburgh.

Michelle Madoff:

They have been looking for a long time and there hasn't been anything in other parts of the City that was big enough — I don't even think it was even a matter of dollars, I think it was a matter that there wasn't a facility and the City has been trying to help

them I think through URA and Lands & Buildings and it has been a number of years and the place they are on, they are sort of on notice to get out and I think we have a responsibility to help those in need, but again I agree with the people in the area, if they want to stop it from continuing, I don't think they should punish the Women's Shelter, but they should certainly have a right to make sure that all these facilities don't end up in their community and the way to do it is to come in and ask us to upgrade their community zoning, this is done all the time, we have people come to us with "R2"'s and want to go "R1" We just had one in Highland Park.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone for **Mr. Robinson** presented

No. 4380 Report of the Committee on Supplies for November 28, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4214

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office furniture (desks, chairs, etc.) for the Department of Police, and for the payment thereof."

Which was read.

Also,

Bill No. 4270

A Resolution entitled, "Resolution amending Resolution Number 743, approved August 20, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing delivery and refurbishing of Emergency Medical Vehicles, for the Department of Supplies, and for the payment thereof' by increasing the amount from \$82,000.00 to \$160,000.00."

Which was read.

Michelle Madoff:

On Bill No. 4270, I would just like to share with Council for those members who were not present that it is anticipated we will be billing \$200,000 a year for non-City residents and collecting 80% of that which will be about \$160,000 and that is very interesting as that just coincides with the repair of these 10 vehicles. That is also interesting because we don't have to go to the taxpayers pockets to get that money.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 4381 Report of the Committee on Water for November 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4265

A Resolution entitled, "Resolution further amending Resolution No. 1072, approved October 2, 1978, as amended by Resolution No. 480, approved May 24, 1979, entitled 'Providing for a contract or contracts for the purchase and installation of valves in various locations and providing for the payment of the cost thereof', by increasing the appropriations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 4382 Report of the Committee on Parks and Recreation for November 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4266

A Resolution entitled, "Resolution providing for an agreement or agreements with Brookline Area Community Council for the provision of insurance in connection with the Brookline Boxing Program and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 4383 Report of the Committee on Lands and Buildings for November 28, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4263

A Resolution entitled, "Resolution authorizing reduction in retained percentage from ten percent (10%) to five percent (5%) in connection with Carnegie Library of Pittsburgh, Wylie Avenue (Hill) Branch Project."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne presented

No. 4384 Resolution approving and confirming the re-appointment of Eugene P. DePasquale of 230 Meyran Avenue, Pittsburgh, PA 15213 as a member of the Allegheny County Sanitary Authority for a term to expire December 31, 1984.

Which was read.

Mr. Coyne moved for approval.

Mr. Stone:

Mr. President, I would like to direct a question to the Parliamentarian -- is it possible for me to move to table this bill until December 31, 1984?

The Chair:

No.

Michelle Madoff:

I'd like to ask a question -- I want to know what qualifications he has -- I think I'm more qualified, I think you ought to recommend me.

The Chair:

Well, I have a trash compactor, or a garbage disposal.

Mr. Lally seconded the motion.

The Chair:

Is there any further discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 6 Noes none
(ONE ABSTAINING - MICHELLE MADOFF)

And a majority of the votes of Council being in the affirmative the re-appointment was approved.

The Chair:

This is a bit unusual, but there is a gentleman I believe in the audience today, Mr. Kennedy — I'm going to allow Mr. Kennedy five minutes to give us—

Michelle Madoff:

He is not here — unfortunately — fortunately or unfortunately, this has been a very short meeting and he is coming from school, he teaches at I think Pitt or Duquesne.

The Chair:

Michelle, why don't we do this, why don't you have him give you that information and you enter a resolution next week, we will do it that way.

Michelle Madoff:

Well, the whole idea was that Council, particularly those with some legal experience or other members of Council may want to hear what he has to say — we have a member of the Union, sitting in the back, from United Steelworkers of America, I don't know who the other gentleman is, but we have a few other items of business and perhaps he will be here in short order. I had told him 3:00 because we are usually not out of here until 3:30 and I guess it was my fault.

I would like to share with Council a couple of important items. Last year the deficit in the Zoo was \$400,000. This year the deficit in the Zoo is \$683,561.00, the Aviary is \$254,000 and Phipps Conservatory is \$476,985.00; that is almost \$477,000.00. That comes to something like \$1.3 Million. The reason I had touched on the Emergency Medical Dollars is that again I say, we've got to get some government through innovation as opposed to bureaucracy. It's true that during the previous Administration and even until last year, we received a lot of dollars for CETA and Revenue Sharing from the Federal Government. That is not the case. I have also learned that if we want any resolutions or bills introduced, they have to

be in by the 10th of December, is that correct Mike?

Mr. Perry:

That is correct.

Michelle Madoff:

And I really feel at this point we ought to be having a bill that would increase the cost for the Zoo, Aviary and Phipps Conservatory across the board so that City residents are not penalized. What we would do is have some form of identification, either through a water bill, a telephone bill, or by request — a library card — anything they would have to show, so that people who are City residents coming to the Zoo would have the advantage. Now if you are not a City resident, you don't have to identify yourself, so it is not going to take anytime if you are not a City resident. If you are a City resident and you have identification, it is true it might take a few minutes longer, but people going on buses today have the exact change, the same people who were saying, "Oh these poor little children are going to have to pay a little bit more", are buying \$6.00 records. And I don't think that we can continue to have a shrinking tax base pick up these deficits much longer, it is now a Million three and going up and I think we have a responsibility to look at something and I am going to for the record, try to speak to Louise Brown and see if I can introduce a resolution and work out the mechanism later — if we want to work out the mechanism we can do it.

Mr. Stone:

Michelle, didn't we vote on something like that a couple of weeks ago?

Michelle Madoff:

No, I have been talking about it for weeks and weeks and weeks and Louise Brown said what they were going to do is raise the fee for membership in the Zoo Association to non-City residents, I don't know whether that is any good — I mean, how much longer can we keep doing this?

Mr. Givens:

There are a lot of things in that budget

we are going to talk about.

Mrs. Masloff:

We gave away some \$5 Million to other services in the City and I think that the Zoo, the Aviary — these things that are important to the City and it is almost impossible to have identification to check some 5,000 people per day in the summertime. Of course I'd like to see more money come in and if anybody comes up with an idea, of course I'll be for it.

The Chair:

It's got to be more costly to do it that way than the other way.

Michelle Madoff:

I have another item — I'm not buying time, I really did have these items, but I hope Mr. Kennedy arrives soon.

This is a letter that says, can you help?

"All of the tenants in the Wendover Apartments at 5562 Hobart want smoke detectors installed in the corridors. They had two big fires, one on March 9th and one in June, 1979. Many of us were trapped in the building in the March fire because the corridors and stairwells were black with smoke, we could not see, we could not breathe.

Many were taken to Montefiore, Presbyterian and Shadyside Hospital for treatment, some were admitted, one was in intensive care..."

I really don't want to read this whole

thing and take everybody's time but I did speak to the owners, the National Apartment and Leasing Association and they are willing to do something, but I think again, it is important that somewhere along the line we have an ordinance, not a resolution, but an ordinance, that we have smoke detectors in buildings.

Mr. Lally moved to excuse **Mr. Robinson** for absence from this meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, what do you want to do about the young man who is coming to talk to us — possibly two young men — do we want to have a meeting in the back room at 3:00 when they get here?

Mr. Givens:

Have them come back to the conference room.

The Chair:

They can come back and speak to the Councilmembers who are present.

Mr. Lally moved to approve the minutes of Monday, November 26, 1979.

Mr. Coyne seconded the motion.

And on motion of **Mr. Lally**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, December 10, 1979

No. 49

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAY Ass't City Clerk

Pittsburgh, Pa.
Monday, December 10, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 4385 An Ordinance supplementing The Pittsburgh Code, Title Six-Conduct, Article 1, Regulated Rights and Actions by adding a new Chapter 611 Alarms, providing regulations for alarm systems in the City of Pittsburgh.

Also

No. 4386 Communication from Glenn M. Cannon, Director, Department of Emergency Medical Services, requesting permission for Lloyd H. Mackie to attend National Conference on EMS, Keystone, Colorado, January 13 - 19, 1980, at a cost not to exceed \$800.00, payable from Code Account 1421, Miscellaneous Services, Department of Emergency Medical Services.

Which were read and referred to the Committee on Public Safety.

Mr. Coyne presented

No. 4387 Resolution transferring the aggregate sum of \$15,000.00 from various accounts to Code Account 1501, Premium Time, Department of Public Works.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Also

No. 4388 Resolution providing for the issuance of a warrant in favor of Dick Enterprises, Inc. in the amount of \$150,061.59 in payment for Emergency Work in connection with the Royal Street earth mass movement, furnished for the benefit of the City without previous authority of law; and providing for

the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 4389 Resolution providing for a contract or contracts for Engineering and Architectural Services for the Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 4390 Resolution providing for a contract or contracts for Engineering Services for the Inspection of various City Bridges (PW 79-09); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 4391 Resolution providing for a contract or contracts for the Wood Street Bridge Reconstruction (PW 79-17); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 4392 Resolution providing for a contract or contracts for the Demolition of the Pennsylvania Avenue Bridge; providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also

No. 4393 Resolution providing for a contract or contracts for Repairs to the Stanton Avenue Retaining Wall (PW 78-22); and providing for the payment of costs thereof.

Also

No. 4394 Resolution providing for a contract or contracts for the Construction of Saw Mill Run Sewer; and providing for the payment of costs thereof.

Also

No. 4395 Resolution vacating Chateau Street from Ridge Avenue to a point 145.875 centerline feet southwardly therefrom and a portion of Bank Lane (Shore Avenue) between Chateau Street and Belmont Street in the 21st Ward of the City of Pittsburgh.

Also

No. 4396 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$3,000.00 for extra work in connection with Stanwix Street Bridge, Controller's Contract No. 24043, to be payable from PW 76-39, Department of Public Works.

Also

No. 4397 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$6,123.00 for extra work in connection with sidewalk construction at various locations (Community Development) Controller's Contract No. 22999-F.

Also

No. 4398 Communication from Louis Gaetano, Deputy Director, Department of Public Works transmitting Traffic Regulations to be instituted on South Graham Street and other streets listed herein for a 60-day trial period beginning December 7, 1979.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens presented

No. 4399 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in con-

nection with the 1980 Community Development Block Grant Programs; providing for the execution of grant contracts and for the filing of other data; approving the 1980 Community Development Block Grant Program providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for payment of expenses within categories.

Also

No. 4400 Resolution providing for an agreement or agreements with consultant or consultants to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof from CP 1978-05 CDBG Citizen Participation and CP 1979-02 CDBG Citizen Participation and Information.

Also

No. 4401 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Ebenezer Development Corporation for the sale of Parcels 60B, 60C, and 62 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also

No. 4402 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and David J. Gamble for the sale of Parcels 114B and 114C in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4403 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Jennifer Jones for the sale of Parcel 117 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4404 Resolution approving a form of contract for Disposition of land by and bet-

ween the Urban Redevelopment Authority of Pittsburgh and James Bailey for the sale of Parcel 209 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also

No. 4405 Communication from Paul Brophy, Director, Department of Housing requesting permission to attend Community Investment Conference, Washington, D.C. January 7 - 8, 1980, at a cost not to exceed \$220.00, payable from the 1978 Community Development Block Grant Trust Fund, Department of Housing, Administration, CDHD (HD-78-13).

Also

No. 4406 Communication from Edward deLuca, Director, Department of City Development requesting permission to attend Urban Development Action Grant Exhibit, Cincinnati, Ohio, December 16 - 18, 1979 at a cost not to exceed \$225.00, payable from Code Account 1900-1, Miscellaneous Services, Supplies, Materials, Repairs and Equipment, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lally presented

No. 4407 Resolution providing for the issuance of a warrant in favor of Carl Bonidie, Inc., in the amount of \$18,060.91, in payment for extra services furnished for the benefit of the City in connection with the Weatherization Program at the City-County Building and providing for the payment thereof.

Also

No. 4408 Resolution providing for the issuance of a warrant in favor of D.R. Hamburg Associates, in the amount of \$5,225.00 in payment for extra services furnished for the benefit of the City in connection with the design of No. 2 Police Station and providing for the payment thereof.

Also

No. 4409 Resolution transferring the

total sum of \$3,000.00 from Code Account 1368, Salaries and Wages, Regular Employees to Code Account 1360-1, Premium Pay, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Finance.

Also

No. 4410 Resolution providing for an agreement or agreements with L.D. Astorino & Associates, Architect, for professional services in connection with the design and installation of art work at No. 22 Engine Company, Arlington Avenue; and providing for the payment of the cost thereof.

Also

No. 4411 Resolution providing for the leasing from BUNCHER MANAGEMENT AGENCY INC. Post Office Box 163, Youngwood, PA, 15697, for a parcel of land containing approximately 479,800 square feet or 11.01 acres, in the 6th Ward of the City of Pittsburgh, for a term of one year beginning January 1, 1980, at an annual rental of \$69,280.00, payable quarterly at a rate of \$17,320.00, upon certain terms and conditions; and providing for the payment of the same.

Also

No. 4412 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also

No. 4413 Resolution repealing Res. No. 712, app. June 19, 1978 for the sale of a 2 sty. brk, hse & store on 553 Brushton Avenue and Tiga St. Blk 175-C Lot 63 to James D. Dyer. Purchaser has failed to comply with agreement of sale. Hand money of \$850.00 is to be forfeited.

Also

No. 4414 Resolution repealing Res. No. 144, app. Feb. 26, 1979, for the sale of property in the 3rd Ward on 1729 Our Way, 3 sty. brk, hse. Block 11-E, Lot 65-A, to Gwendolyn

Hurt-Howze for \$1,400.00. Due to a death and financial difficulty requests sale cancelled and hand money of \$200.00 to be returned.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 4415 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA, 15236, in the amount of \$4,210.12 in payment of premium pay incurred during installation of a 36" x 12" tee connection at 11th Street and Liberty Avenue furnished for the benefit of the City in connection with City Controller Contract No. 23104-F.

Which was read and referred to the Committee on Finance.

Also

No. 4416 An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I Regulated Rights and Actions by adding a new Chapter 611 Alarms, providing regulations for alarm systems in the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

Also

No. 4417 Resolution authorizing the Director of the Department of Water to grant the application of William R. Grove, Jr., 120 Oak Park Place, Pittsburgh, PA, 15243, for water supply outside the City of Pittsburgh.

Which was read and referred to the Committee on Water.

Mrs Masloff presented

No. 4418 Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$163,401.77 in payment for work performed at Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 4419 Resolution authorizing the

Mayor to issue and the Controller to countersign warrant in favor of Jurgen Schultz, Catskill, New York, in the amount of \$6,000.00 in payment for one pair of White-tailed Gnus, young adults, to be delivered to the Pittsburgh Zoo, to include all shipping and delivery charges, without previous authority of law; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also

No. 4420 Resolution amending Res. No. 49, effective January 1, 1977, entitled "Amending Res. No. 716, effective October 1, 1976, entitled 'Authorizing the letting of a contract or contracts for the rehabilitation of the South Side Market House, 17th Ward, in the Department of Parks and Recreation, and providing the the payment of the cost thereof' by increasing the authorization from \$380,000.00 to \$420,000.00," by reducing the authorization to \$412,523.00.

Also

No. 4421 Resolution providing for an agreement or agreements with engineers or surveyors for professional services in connection with the design of Langley High School Field lights and providing for the payment of the cost thereof.

Also

No. 4422 Resolution providing for a contract or contracts for the construction of tennis courts at various parks and playgrounds and providing for the payment of the cost thereof.

Also

No. 4423 Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof.

Also

No. 4424 Resolution providing for a contract or contracts for the construction of

Schenley Park Oval Improvements and providing for the payment of the cost thereof.

Also

No. 4425 Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof.

Also

No. 4426 Resolution providing for a contract or contracts for the construction of Marmaduke Playground and providing for the payment of the costs thereof.

Also

No. 4427 Resolution providing for a contract or contracts for landscaping improvements at various parks and playgrounds and providing for the payment of the cost thereof.

Also

No. 4428 Resolution repealing Res. No. 303, effective May 19, 1976, entitled "Authorizing the Mayor and the Directors of the Department of Land and Buildings and Parks and Recreation, on behalf of the City of Pittsburgh, to enter into a lease agreement with Beechview United Presbyterian Church, on 1621 Broadway Avenue in the 19th Ward, Pittsburgh, the basement of the church, for a term of three (3) years, at a rental of Two Hundred Dollars (\$200.00) per month, commencing May, 1, 1976, for use as a Senior Citizens' Lounge, payable from Community Development Block Grant Funds."

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 4429 Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$10,791.33 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Also

No. 4430 Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$3,547.44 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Also

No. 4431 Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$6,957.50 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof.

Also

No. 4432 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$14,566.36 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies, without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also

No. 4433 Resolution repealing Ordinance No. 440, app. August 20, 1975, entitled "Providing for an agreement with the Bell Telephone Company of Pennsylvania for the conversion of the existing telephone service for government offices of the City of Pittsburgh, excluding emergency police and fire telephone service, to Centrex Service, in accordance with the local general tariff of the company, and providing for the payment thereof.

Also

No. 4434 Resolution repealing Res. No. 531, effective May 24, 1978, entitled "Providing for the letting of a contract for the furnishing and delivery of a Direction Finder, etc., for the Radio Improvements Division, Department of Supplies, and for the payment thereof.

Also

No. 4435 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of folding tables and chairs for the Bureau of Recreational Activities, Department of Parks and Recreation, and for the payment thereof.

Also

No. 4436 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumps and vinyl material) for the Pittsburgh Department, and for the payment thereof.

Also

No. 4437 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office equipment (desks, chairs, bookcases, etc.) for the Department of City Development, and for the payment thereof.

Also

No. 4438 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Wackers for the Department of Water.

Also

No. 4439 Resolution providing for the letting of a contract or contracts for the furnishing, delivery, and installation of Fifteen (15) custom-made vertical blinds for the Southside Markethouse, Department of Parks and Recreation, and for the payment thereof.

Also

No. 4440 Resolution providing for the let-

ting of a contract or contracts for the furnishing and delivery of various equipment (turf-quaker, mowing tractor, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also

No. 4441 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$477.00 to Pisani Brothers, Inc. for emergency repair work to be payable from Code Account 1150, Outside Repairs, Contract.

Also

No. 4442 Communication from Lawrence J. Yatch, Director, Department of supplies requesting interim approval of payment of \$558.35 to Pak-Mor Mfg. Co., for emergency purchases by Bureau of Automotive Equipment, payable from Code Account 1148, Automotive Parts, Department of Supplies.

Also

No. 4443 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$13,878.20 for emergency repair work of Bureau of Automotive Equipment, payable from Code Account 1150, Outside Repairs, Contract.

Also

No. 4444 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$18,555.33 to General Motors Corporation for emergency repair work for Bureau of Automotive Equipment, to be payable from Code Account 1150, Outside Repairs, Contract.

Also

No. 4445 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$2,225.00 to Doerr Brothers, Inc. for emergency repair work furnished for the Bureau of Automotive Equipment, payable from Code Account 1150, Outside Repairs, Contract.

Also

No. 4446 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$2,307.00 to Boron Oil Company for emergency purchase of No. 2 Heating Oil for Zoological Park Commission, payable from Code Account 1854, Coal and Oil Zoological Park Commission.

Also

No. 4447 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$787.55 to Hydra-Tech, Inc. for emergency purchase for Bureau of Automotive Equipment to be payable from Code Account 1148, Automotive Parts, Department of Supplies.

Also

No. 4448 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$3,466.00 to Arnold Graphic Industries, Inc., for City Information Systems Office, to be payable from Code Account 1044, Supplies, City Information Systems.

Which were severally read and referred to the Committee on Supplies.

Mr. Stone presented

No. 4449 Resolution providing for the issuance of a warrant to Harvey L. Mahone and Garland H. McAdoo, Jr. Counsel for Harvey L. Mahone, in the amount of \$2,000.00 in full settlement of a claim for damages resulting from his arrest on May 29, 1975.

Also

No. 4450 Resolution providing for the issuance of a warrant to Glenn R. Mahone and Garland H. McAdoo, Jr. Counsel for Glenn R. Mahone, in the amount of \$2,000.00 in full settlement of a claim for damages resulting from his arrest on May 29, 1975.

Also

No. 4451 Resolution providing for the

issuance of a warrant to Claudette Jackson, individually and as parent and natural guardian of Lynlee Kip Jackson, a minor, care of Byrd R. Brown, Esquire, 1812 Grant Building, Pittsburgh, PA, 15219, in the amount of \$1,833.34 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also

No. 4452 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the proposed Employee Assistance Program Project, funded under Intergovernmental Personnel Act funds (IPA); providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Employee Assistance Program Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of funds in a bank account.

Also

No. 4453 Resolution providing for an agreement or agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Also

No. 4454 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Barbara Howell and Tyra Townsend, to attend U.S. Department of Labor Training Session for Prime Sponsors Staff, Alexandria, VA, January 16 - 18, 1980, at a cost not to exceed \$500.00, payable from CETA Trust Fund, federal funds.

Also

No. 4455 Communication from John McAllister, Manager, Information Systems, requesting permission to attend 1980 Annual

Conference of Municipal Finance Association, Phoenix, Arizona, May 11 - 15, 1980, at a cost not to exceed \$950.00, payable from Code Account 1043, Miscellaneous Services, Bureau of Information Systems.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, normally I would wait until the regular Wednesday meeting to discuss an ordinance I've introduced, but because of the pressing time, you know, we have what - three weeks of business before the end of the year, I would like to read a one page statement.

The Chair:

Michelle, we will get on with the business of Council and we can do that under Motions and Resolutions.

Michelle Madoff:

Well, the thing I am very concerned about is that we deal with this item before the end of the year so that any members of Council who want to review it, do any research, have any input, we can get an ordinance passed by the end of the year that will affect, hopefully, the budget for next year. We are talking about a million dollars.

The Chair:

Well, what is the problem of bringing it up under Motions and Resolutions?

Michelle Madoff:

It is an ordinance pertaining --

The Chair:

Why can't you do it under Motions and Resolutions?

Michelle Madoff:

Well, because it is an ordinance that will be coming up a week from Wednesday; and I have distributed copies of the ordinance, I

have distributed a statement and if you would like, I don't have to read it, everybody has copies, we can just put it in the record, but I think it is very important that Members of Council deal with this issue before the end of the year because it could mean 50 more policemen, it could mean the equivalent of a million dollars and we do have a budget that certainly could use some cutting.

Mr. Givens:

We have your letter --

Michelle Madoff:

Right, I don't mind waiving reading it out loud, as long as -- I want to explain why I did it today and why I didn't wait until a week from Wednesday, or the final vote to make a statement on it. I urge every Member of Council to please review it, there are two bills, the Mayor has introduced one, and I have introduced one. Please review both, we think we have taken the best out of all of them; we have met with Superintendent Coll, we have met with the gentleman of the police force who brought it to our attention; we are talking about 50 more police that could be released, and we say that 85% are false alarms, we are on the low side, it is more like 95%. In other communities where they have introduced this kind of action --

Mr. Lally:

Mr. President, let's get on with the regular meeting, and then if she wants to discuss it later, I think it is proper -- we have other business right now.

The Chair:

Michelle, we will read the letter. We have several residents here on the Women's Shelter.

To: City Council

From: Michelle Madoff

Date: December 10, 1979

Subject: Burglar Alarm Ordinance

Some 7 months ago, Officer Michael Caldwell brought to my attention the at-

tached list of Police Calls statistics. As you can see, there were 18,812 calls for "Burglar-intrusion alarms" in 1978, which represents 6.88% of all the police service calls. Better than 85% are FALSE ALARMS.

Patricia Moore of my office immediately began to research what other cities and nearby communities are doing to address this problem. Having reviewed many ordinances, we feel that we have put together what we consider to be a workable Ordinance. We certainly welcome any amendments Members of Council may deem necessary to improve the Ordinance.

As Council is aware, I conducted a preliminary hearing in August of this year which was attended by representatives of various burglar alarm companies, suppliers of burglar alarm companies, and representatives of the Pittsburgh Police Department. Since then, we have consulted with as many people as possible, including Superintendent Coll and Officer Caldwell. We believe we have a good Ordinance.

The Mayor is also introducing a burglar alarm ordinance today, prompted by our having raised the issue. We have reviewed the Mayor's proposed ordinance and it is a fine suggestion, as far as it goes. The ordinance which I am proposing goes a little further, and the penalties are a little stiffer, which we feel are in the public's best interest.

The bottom line is that a penalty will be a deterrent. That is the experience of other cities which adopted a similar ordinance. Industry representatives whom we consulted agree.

The payoff for Pittsburgh is that we would, in effect, be releasing as many as 50 police officers to deal with other police work. Fifty police officers, at an estimated cost of \$20,000.00 per year with benefits, translates into \$1 million.

Since the Budget cries out for innovation in keeping City expenses down, I am reluctantly introducing this Ordinance before the opportunity for additional public hearings I would like to have. Of course, the Ordinance is always subject to amendment and public hearings can be scheduled after the first of the year, as deemed necessary.

I urge Council to carefully review the Ordinance I am submitting today, and to move with all due haste to pass a BURGLAR ALARM ORDINANCE.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4456 Report of the Committee on Finance for December 5, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4303

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Mosites Construction Company, in the amount of Seven Thousand Two Hundred Fifty (\$7,250.00) Dollars, in payment for extra work furnished for the benefit of the City in connection with the temporary repairs of the Columbus Avenue Bridge over Warner Street, Consolidated Rail Corporation tracks, private property, and other work incidental thereto; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4304

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Duquesne Light Company, in the amount of One Thousand Eight Hundred (\$1,800.00) Dollars in payment for Emergency Electrical Service Work furnished for the benefit of the City in connection with the Reconstruction of Fifth Avenue; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4309

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James Karis, Inc., 3231 West Carson Street,

Pittsburgh, Pa. 15204 in the amount of \$5,894.00 in payment for razing and removal of 2 story brick dwelling located at 140 - 45th Street, Ward 9, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4330

A Resolution entitled, "Resolution providing for the issuance of an \$800.00 warrant to Leonard G. and Linda M. Zucco in full settlement of claim for property damage; and providing for payment thereof."

Which was read

Also,

Bill No. 4331

A Resolution entitled "Resolution providing for the issuance of a \$7,910.60 warrant to George J. Miller in full settlement of claim for damage; and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Mr. Givens
Mr. Lally
Mrs. Masloff

Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4332

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as Depositories for the year 1980 in accordance with Pittsburgh Code, Title Two Fiscal, Article III, Depositories."

Which was read.

Also

Bill No. 4333

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Computer Processed Microfiche Services in connection with Water and Sewage Tax Information Records; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4334

A Resolution entitled, "Resolution amending the schedule attached to Resolution 1000 of 1979 which was an amendment to Resolution 1589 of 1978 adopting the 1979 Capital Budget."

(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4335

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Labor, Employment and Training Administration, Office of Welfare Reform, for a grant in connection with the Employment Opportunities Pilot Project, funded under CETA Title II D; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Employment Opportunities Pilot Project, funded under CETA Title II D; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of

authorized signatures; and providing for the deposit of the funds in the CETA-EOPP Trust Fund."

Which was read.

Also,

Bill No. 4334

A Resolution entitled, "Resolution transferring the amount of Forty One Thousand Five Hundred (\$41,500.00) Dollars from various Code Accounts to Code Account Nos. 1501, Premium Pay, and 1612, materials; all accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 4345

A Resolution entitled, "Resolution transferring the aggregate sum of \$180,000.00 from various Code Accounts in to Code account 1612-4, Salt, Department of Public Works."

Which was read.

Also,

Bill No. 4365

A Resolution entitled, "Resolution transferring the aggregate sum of \$400,000.00 from various code accounts to code accounts within the Department of Supplies."

Which was read.

Also,

Bill No. 4366

A Resolution entitled, "Resolution transferring the total amount of Three Hundred Ninety Seven Thousand (\$397,000.00) Dollars from certain City Departments to various Code Accounts, Department of Supplies, as listed."

Which was read.

Also,

Bill No. 4367

A Resolution entitled, "Resolution transferring the aggregate sum of \$223,500.00 from and to code accounts within the Department of Supplies." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4457 Report of the Committee on Public Works for December 5, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4305

A Resolution entitled, "Resolution providing for a contract or contracts for the reconstruction of the Franum Street Bridge over Saw Mill Run Creek, private property, and other work incidental thereto, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4306

A Resolution entitled, "Resolution providing for a contract or contracts for the replacement of the Spahr Street Footbridge over Conrail Tracks and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4307

A Resolution entitled, "Resolution vacating Galatin Street, from Butler Street to Autumn Street in the Tenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4308

A Resolution entitled, "Resolution accepting the dedication of London-Towne Drive as shown and dedicated on the London-Towne Plan of Lots No. 2 in the Nineteenth Ward of the City of Pittsburgh, by Concept Realty Enterprises, Incorporated, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing the grade, and accepting the grading, paving, curbing and sewerage thereof."

Which was read.

Also,

Bill No. 4346

A Resolution entitled, "Resolution amending Resolution No. 486, effective May 29, 1979, entitled, 'A Resolution providing for a Contract or Contracts for the resurfacing of various City streets and park roads with bituminous materials including regrading, recurbing and other work incidental thereto, PW 79-01; and providing for payment thereof', by increasing the amount authorized and including the utilization of existing contracts."

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4458 Report of the Committee on Planning, Housing and Development for December 5, 1979 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3845

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (1)A(10) of the Pittsburgh Code Title Nine, Zoning, Article V, Chapter 993 for authority to use the existing structure located at 7211 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc., for an Institutional facility on property zoned 'R4' Multiple-Family Residence District identified as Lot No. 131, Block 175-A in the Allegheny County Block and Lot System, 14th Ward."

Which was read.

Mr. Stone:

I would just like a point made very clear here. It was my understanding when this original bill came through that the following facts were more or less admitted; first of all, that as far as the organization was concerned, there was no objections to that. As far as the proposed use, there were no objections to that. There was, however, a strong feeling to which I share relative to the

particular community that there were 13 establishments of group homes in that particular area. They were saying that 13 is enough, we should not have 14. It was my statement at that time that if there are still 13, I would not vote for number 14. It has now come to my attention and it has been represented to me—and if this is incorrect, I want it cleared up now—that there are no longer 13 but rather six in that particular community. If that is in fact true, then I am prepared to vote on this issue today. If that issue is not clear, then I am not prepared to vote on this issue today. If that has been reduced from 13 to six, my vote will be favorable. If that amount of group homes is not down to six, my vote will be against it or I will abstain.

I just want those facts clear. There has been a lot of talk that it has and there are a lot of objections, I understand, that haven't. Now, I have some conflict fear in this aspect of it; from what I can gather here, the citizens are making a very strong point—we have 13, we don't need 14 and I think that is a valid point.

Relative to the Women's Shelter, I think they are coming in here with a good program, they are coming here with a good cause, but in fairness, I don't think that a community ought to be over-saturated with group homes. Now, that is a key in that aspect of whether or not we have 13 or six. I have been shown a letter that Mr. Givens got, I've been shown a map and I am told that it is down to six. If that is a misrepresentation I'd like to know where this stands.

Mr. Givens:

Yes, we had Building Inspection go out to—Bob it actually went up to 16 identifiable non-conforming uses without occupational uses.

Our Bureau of Building Inspection went out there to each and every one of them and told them they were not in conformity with the Pittsburgh Building code, it was indicated then, on many of them, that they would not go along to get an occupancy permit because of the major re-habbing of the buildings, putting fire escapes on, meeting

fire standards, etc. So, I have been assured that, Building Inspection has told them they cannot do that if they would continue under any case, Building Inspection then would cite them. And, of those 16, when it comes down to group homes, there are only two group homes in that area right now, this would be the third one.

I can look at my own neighborhood, I have two group homes and one methadone—right adjacent to my place.

I think this Council, through the public hearing that we had on this particular issue, has done more to pinpoint and correct the deficiencies in that neighborhood in regards to group homes than anything else. Also, in eliminating a lot of nursery homes that were there that were non-conforming.

So, on what Building Inspection has done, and what they have told me, this should be an indication of improvement totally, within that neighborhood and I will stand on that.

Mr. Stone:

Mr. Givens, let me just ask you one question—you are saying there are only two group homes, the last I heard was six.

Mr. Givens:

Two—two homes.

Mr. Stone:

We are not dealing with any different kind of terminology now?

Mr. Givens:

Yes, we are talking about nursing homes, what they call a nursing home, they are calling that a group home. A group home to me is something—

Mr. Stone:

Yes, but I don't want to get into those kind of technicalities. It is my understanding there were originally 13, if that is reduced, as Nate Smith indicated, if the thing drops, then even he wouldn't be opposed.

Mr. Givens:

Yes, there are six existing right now—

Mr. Stone:

But I don't want to call them different things—my impression is that there—

Mr. Givens:

There are six existing right now and—

Mr. Stone:

When you say six, six what?

Mr. Givens:

Well, they call them nursing homes, etc.

Mr. Stone:

Allright, then what other categories are there?

Mr. Givens:

Okay, let's see, there is one nursing, two nursing, a boarding home is the third one—

Mr. Stone:

What is that last one?

Mr. Givens:

A Boarding Home.

Mr. Lally:

Excuse me Bob, he is giving you the list of the six homes—

Mr. Givens:

The six that are there right now.

Michelle Madoff:

These are terminated.

Mr. Givens:

I don't call them group homes—okay, you have a nursing home, you have another

nursing home, you have a boarding home, you have the Warrendale Home For the Boys, they are the six—so there is only the one group home for the boys and that is somewhat similarly located to where the existing Women's Shelter is going to go in. There is another home in that particular area that is in the courts of Allegheny County and I think it is being appealed to a higher court. Where the courts of Allegheny County said that group home will remain there, but it is under contest.

Michelle Madoff:

How many are there in total, I think that is the question.

Mr. Stone:

That is all I am asking.

Michelle Madoff:

How many are there of these facilities, no matter what you call them in total.

Mr. Givens:

Well, I would look on only one as—

Michelle Madoff:

But that is not what he is asking—he is asking you how many of these total facilities are there?

Mr. Givens:

Would a nursing home be considered a group home?

Michelle Madoff:

Yes, how many are there all together?

Mr. Givens:

Taking care of older people? And mind you these—

Mr. Stone:

Well, if they applied for a group occupancy permit, I would say yes. That is what I am trying to get to Dick, I don't want

to by technical definition, reduce the amount. But it is my understanding that they as a practical matter, reduced it. Now, that is the key for me.

Mr. Givens:

Right, there were 16 identified at one time in the community and by the Women's Home and by the Building Inspection. Of this right now there are only six of them remaining and those six I have just listed for you, most of them are homes for the elderly where people live on the first floor and rent out their second floor apartments and at the same time take care of these elderly people. That is it.

The Chair:

Bob, is that satisfactory?

Mr. Stone:

It is not answered, but I am trying to get an answer—

The Chair:

He is saying six, Bob.

Mr. Stone:

Okay.

Mr. Givens:

Six, including the Women's Shelter.

Mr. Robinson:

Mr. President, since there seems to be some confusion relative to terminology, and I think certainly, that is an issue that has to be addressed by this Council, and also by the Planning Commission, in fairness to everyone to identify what it is we are talking about, I would like to request, regardless of the actions that are taken by this Council today, that our City Planning Commission forward to this Council any proposed changes that they would like to make in our Zoning Laws relative to what we are identifying here as group homes. I say that in light of the fact that Director Lurcott did indicate that there were a set of definitions that the Planning Commission was working

on that would help clarify what was a group home and what was not. Hopefully, if we can get that information from the Planning Commission post haste, that would help us in the future, at least in terms of terminology and what they think we should do about this situation.

Second of all, I would like to have the Planning Department forward to this Council those actions that they are going to be taking, or are taking to begin to deal with this issue of so-called group homes. That is any actions that they are taking, or have taken, to deal with this problem. Hopefully, we can have all this information by the first Wednesday in January and that will allow the Department to update any progress reports they have to make. It will also allow the Planning Commission, hopefully, to put the final touches on what their recommendations are.

I think until we have a clear cut definition as to what it is we are talking about, we are not sure what the issue is or what the issues are and I think the discussion that has just recently been held here among the Members of Council, indicates the great deal of confusion that surrounds this issue and the great deal of confusion that surrounds, at this point, whether or not the facility in question is even a group home. I think it is only fair to the citizens and to the Women's Shelter that we have some standard definitions so that everyone knows what it is we are talking about so that whatever actions we take in the future are fair to everyone.

Mr. Bulls:

Mr. President, I would like to ask Councilman Givens a question. Are you saying that out in the Point Breeze area, there are 10 homes that the building inspectors went out and told they are in violation and said they had to move and those ten homes are vacant? Or they went to different uses. This is what I don't understand. I'm saying—did the people say, "You are in violation" and then they say, "okay, we know that" and they are still there. I don't understand.

Mr. Givens:

Okay, Bill brings up an interesting point, what is a group home? And this is a definitive area that must be discussed and debated within this Council.

Anything under present zoning that requires an occupancy permit, an occupancy permit is primarily what the Building Inspection people were touching upon, otherwise, most of these were nursing home, kindergartens, things of this nature that were non-conforming uses, that people were using their residential property for an institutional type use. They went out there and told those people if they, being the fact that some of these have been in place, others were infact, used as an institutional use and is no longer used as that, half of the properties ended up in that configuration, they are no longer being used for that particular use. But those that they did find where people were using, they told them that they must get an occupancy permit. Of those 16, six of them indicated—excuse me—five of them indicated that they would get, or had on record, some form of an occupancy use for that particular property. The other ten said we will not conform, or in fact, they were not in existence, meaning that they will go out of existence and will not use that piece of property for what they were using it for and one of the major reasons for this was, any time you need an occupancy permit, you must be regulated by the Fire Codes and the Building Codes, etc., and it costs a considerable amount of money to continue on with them.

Mr. Bulls:

I'm just wondering one thing. What are they doing today? I know what they said they were going to do—what are they doing today?

Mr. givens:

Well, I think we have to look over the whole City. We are talking about one neighborhood right now.

Mr. Bulls:

No, I'm talking about these homes—what are they doing right now?

Mr. Givens:

Okay, up until this time, just like anything, we just read in the paper this week on the Oakland situation and the Mayor and the Administration said they are going to try to crack down as best as they can on these non-conforming uses and this is exactly what they did in this neighborhood, they went out there and wherever they got a complaint, either from the local citizens, or from the Women's Shelter who made a survey, and from our own Building Inspection, they went out there and knocked on the doors and informed the people and so informed, to my knowledge, the people who owned the property, that they were in a non-conforming use and the property owner indicated that they would discontinue that use. So, if they continue it, then Building Inspection will go out again and issue them citations and fines ensuing according to our Zoning Code of the City of Pittsburgh.

The Chair:

Mr. Givens, the thing that Mr. Bulls is asking, since they found these violations, and cited these people, did they close these?

Mr. Givens:

Many of them were non-existent, about half of them weren't even in existence, it was heresay. They might have been at one time, but they were no longer in existence. The other half of that ten that we are talking about, five of them indicated that they would discontinue the use because they did not want to go into the expense of trying to update their buildings.

The Chair:

And the others will be closed.

Michelle Madoff:

Mr. President, I think that Mr. Robinson really touched on the bigger picture and the bigger picture is one that the North Side and Point Breeze are really and truly impacted with, whether it is six or whether we thought there were 16 and it is now going to be reduced to six and I think they have a valid concern. However, as Mr. Stone stated, it

was the understanding of Council from the testimony that was given before us that if indeed we were not getting any greater by impacting even further, and it has indeed been shown that we are having less group homes than were anticipated, that it would be acceptable to Council.

Now, somebody took a swipe at me in the Post Gazette on Saturday, and I think that it ought to be straightened out.

The Chair:

They were attacking you instead of me for a change?

Michelle Madoff:

Listen, we've got to take turns, Jeep.

The Chair:

I thought I was the only one who couldn't do anything right.

Michelle Madoff:

This is somebody who is distressed, and rightfully so, about the fact that there would be in their block, and I don't know if this person even lives in the block, but there is concern by say, Nate Smith, that in his block alone, there are two group homes and I can understand if you have six through the area, but if two are in one block, naturally, I would be distressed and so would anybody else.

What I am talking about is the greater picture. Instead of coming to Council, and I have never seen such dissention well orchestrated, I commend them for it, the telegrams and the calls and the visits, and unfortunately, so they will know it was not my intention not to attend, but we did have meetings here in Council this morning, as did other members—the bigger picture says that if I lived in a community that had a lot of group homes impacting, the thing you do that is responsible, is you come before Council and the Zoning Board and ask to have your area changed from "R4" to "R2". Now, what would happen if everybody did that in every community where you were having group homes? Nobody would have group homes and pretty soon, what would happen is that all of us, in our elitist bedroom com-

munities, people like myself in Squirrel Hill, and in Point Breeze and in Mt. Lebanon and in all these other communities would have to pay their fair share of dues to society. I would have that home next door to me if it were legal. However, if you want to make it legal, the first thing you have to do is change your own zoning in your community and not make Council the fall guy or the bad guy in this particular situation.

Mr. Stone:

Michelle, before you leave that point—if I understand correctly, those homes are in violation of the present zoning. Why do those citizens have to do any more than ask for enforcement of the present zoning?

Michelle Madoff:

You are absolutely right.

Mr. Stone:

What I don't want to do here, and which is what I am afraid is happening. Is one jumping with one group as opposed to the other. I saw two groups that came here, genuinely sincere, and I'd hate to see this thing end out where we are pitting one against the other. You know, they have a zoning requirement and why should they upgrade the zoning to hurt somebody else.

Michelle Madoff:

I disagree with you on that, please, what do you mean, why should they upgrade—now I understand that is a no-no word.

Mr. Stone:

Why should they have to move their zoning up when the present zoning prohibits it and the City has not enforced it.

Michelle Madoff:

Because the law says that if you live in an "R4" area, you can have another WABCO come in, light industry, you have a lot of things that come in in addition to a group home which may be less appealing. What I am saying is that why shouldn't all of the

society pay—and I'm sure you feel as I do on this issue, that all of us have a responsibility to those less fortunate. What if we had a grandchild, what if one of your children—what if, God forbid, one of your children needed the facilities of a group home and everybody said, "I don't want them." And I don't think they should all go into one or two communities. I think all of society has to pick up its marbles and be responsible.

Mr. Stone:

I think this community has been more than responsible.

Michelle Madoff:

That's right.

Mr. Stone:

They have tolerated so far, 13 of them and as a reward we are going to give them 14. That is how it started.

Now, I think it is wrong, and this is where you and I part company on this issue. I think it is wrong to blame a community for insisting that their present zoning be enforced. Now, it has been stated here, and I'm still confused—

Michelle Madoff:

That is not what I said, I didn't say, the present zoning be enforced—

Mr. Stone:

You are saying why don't they change the zoning.

Michelle Madoff:

No, I'm making a point. The point that I am making is that as long as we have our four communities, we will have group homes impacting on, this is the only place they can go.

Mr. Stone:

Even in our four there are violations and Mr. Givens—

Michelle Madoff:

We are talking apples and oranges, you are absolutely right—

Mr. Stone:

No, I'm talking the issue here.

Michelle Madoff:

When somebody is in violation, if there is a facility or a home in violation, like those two kids that got burnt down here at Chances R, those laws should have been enforced, there is no question, they should be enforced in any community, but that is not the issue.

Mr. Stone:

I don't even have to go that far. Today it is told to me and that is where I am confused, Mr. Givens, back to you, I am confused at this point—you say that there are, if I got your figure, I'm sorry about this, we are putting everybody to an unnecessary burden here. Somewhere, someone ought to know how many we have and how many we don't have by now. But, you are telling me that there are six that are illegal.

Michelle Madoff:

That are legal.

The Chair:

Bob, if I may, you and Mr. Robinson both have alluded to the fact that perhaps the present homes there now are in violation, am I correct?

Mr. Givens:

There were a total of 16 identified, there are six on that list including the Women's Shelter.

The Chair:

I get the assumption from Mr. Stone and Mr. Robinson, that the present homes are now in violation.

Mr. Stone:

That is what I'm told.

Mr. Givens:

Those nursing homes are not in violation.

The Chair:

How did they ever get permission in the first place.

Mr. Robinson:

Mr. President, one of the problems has been, and unfortunately at the hearing, everyone who wanted to speak didn't have a chance to present their case. Over the last ten years, this community has been struggling with this particular problem. In cooperation with past Administrations, past Planning Directors, past Planning Commission Members, they have been attempting to be responsible, as responsible as they can be.

It was their understanding that some proposed changes that they have been involved in drafting, some proposed legislation to deal with this issue on a City-wide basis, would be presented to this Council for consideration. They proceeded on that assumption believing that indeed they have done everything they could as a responsible community to say we are not against anybody, we simply are trying to preserve the integrity of our community.

We, this Council, has yet to see those proposed changes. We have yet to seriously address the fact that this community has suggested some zoning changes in the City of Pittsburgh and responsible City officials have taken those suggestions and drafted them into some sort of form.

I, like Mr. Stone, do not want to see this community pitted against an organization because we as City officials, have been unable, for whatever reasons, to come to grips with a City-wide problem, and at some point we have to do it.

Today it is Point Breeze, tomorrow, I can guarantee you it will be another community, because as Mrs. Madoff said, there are only

a couple of places that these types of facilities can go and if we are saying we are for group homes, if we are for helping people who have problems, then we have got to accommodate them in our City and we have got to also respect the fact that everyone does not want a group home next door to them. And it is easy for those of us who do not have those facilities in our community, next door, or behind us, to say, put it in someone else's community. This community, I think, has requested the best way they know how, that we simply be responsive, I don't think they are asking them to be for them or against them. Simply to be responsive to a ten year concern.

Michelle Madoff:

Mr. President, may I just point out one thing that I would like to address to Mr. Stone and to Mr. Robinson. Do you remember when we had the hearing here and I asked Director Lurcott, because this is when the question came up, I asked do you know for a fact how many active group homes we have? They had all those black dots and red dots, and they did not know. They had never even gone to look.

Mr. Stone:

That is the point I am making.

Michelle Madoff:

Right, and I said, in 24 hours I wanted a report on what is happening, are they operational, are they not. Now, I have some kind of an answer that seems to be, some are, some aren't, which isn't terribly clear, and the only really in-depth thing we have is what we are hearing from Mr. Givens today. Did Mr. Lurcott, did that department go out and find out and why in blazes didn't they go before it ever came before Council. They knew before we did that it was going to come up.

The Chair:

If I may, I think Mr. Robinson, Mr. Stone and Mr. Bulls raised some very good points and I'm a little more confused now than I ever was, and at this stage, I'd have to say with all this confusion, we are not quite clear

if it is legal or illegal, how many homes in the area, how many aren't in the area, and I think we owe it to that community and to both parties, to recommit the bill.

Mr. Coyne:

I'd like to vote on the bill.

Mr. Givens:

You know, a lot of work and a lot of time and a lot of effort has gone into this by both the community and the Women's Shelter, and I think we could postpone this if we wanted to for another 30 days to clear up this matter. I might suggest for two and a half years, the City has been grappling with the problem of trying to identify what constitutes a group home. I would have to say here that it is going to go a little bit longer than just one January. I think we have to focus on this particular neighborhood right now and the fact that—

The Chair:

Dick, I have to interrupt you at this point—the sad part is that at the hearing, these objections weren't raised by Councilmembers, this is the point that sort of irritates me. Now, as we are ready to vote you won't cooperate. The legality was not raised. How many homes were in the area, that mention was made and we are now still confused as to how many are there.

Michelle Madoff:

I don't think it is confusing at all, there are six homes. And questions were raised.

The Chair:

As far as the legality of it, it was never questioned.

Michelle Madoff:

The point is there are only six operating and that was under 15 and I think we are voting.

The Chair:

Today we have at least three Councilmembers who are questioning the legality

and here we are ready to vote on a very sensitive issue.

Michelle Madoff:

Well, we called for the vote.

Mr. Stone:

Mr. President, right before we do that, let me just go back if I can to crystallize what I am saying. The only question I want answered is how many we actually have. Not by changing definitions, but how many actual group homes, as a practical matter, we have. Now, I see on this particular map what looks like six, and then I see a remark on the bottom, "questionable use - 6840 McPherson Boulevard, Mrs. Carter's Nursing Home" now listen to this, she states: "not in existence." If we sent somebody out there, we ought to know whether it is in existence or not.

Mr. Givens:

This is what happened to many of them, Bob. With the 16, half of them were non-existent, or they might have been at one time, but when Building Inspection went out—

Mr. Stone:

Yes, but if you asked me, if I am in violation, am I in existence, I am going to tell you no.

Mr. Givens:

I am saying Building Inspection did go out, they did look at these buildings one on one and I can't make it any clearer than what has happened and what existing ordinances are so indicating. If you are in violation, then they fine you, that is the only thing they can do to anybody.

Michelle Madoff:

Or they close you down.

Mr. Stone:

Dick, let me try one more question from me if I may, it is a real simple one. These are six which are operating and allegedly are legal, right?

Mr. Givens:

If you can consider a nursing home as —

Mr. Stone:

Whoever did this map found six.

Mr. Givens:

I mean the nursing homes are two and three people upstairs in the second floor.

Mr. Stone:

Allright, that is group living.

Mr. Givens:

Its not a major institution.

Mr. Stone:

Allright, let me go to another one, which is a question I really want answered.

Are there others there that are functioning who are illegal and shoul be closed, or who are going to apply for a permit? Are there others over and above these six, that is the question.

Mr. Givens:

Allright, let me go to another one, which is a question I really want answered.

Are there others there that are functioning who are illegal and should be closed, or who are going to apply for a permit? Are there others over and above these six, that is the question.

Mr. Givens:

Yes there were, I'd say about one half of the 16 that were looked at, so we are talking about 10 of them and half of those were not conforming, they were presently in existence and Building Inspection in telling them that they were not complying with the existing Building Code, said they were going out of business.

Mr. Stone:

Mr. Coyne, can I appeal to you for one

thing? I think that we put both sides in this particular issue, to a heck of a lot of unnecessary problems. Its not fair this way. I made very clear what I proposed to do, I only need one issue for me, answered. I think we ought to get Mr. Lurcott in here and answer the question, and as far as I'm concerned, if it is a reduction, I'll vote for it, if it is not a reduction, I would abstain from voting on it to approve it, for the reason, not that I am against the cause, but rather that it is impacted too much. But, you can't say some are illegal and then ignore it, it is there and that is the only thing that bothers me.

Mr. Givens:

That is exactly what Mr. Lurcott did, he sent us a letter and indicated that.

Mr. Robinson:

Mr. President, if I might suggest that my original request be put into written form to the Planning Commission and the Planning Director, and if there is some problem with interpretation, perhaps when Mr. Lurcott comes before Council we can get clarification, but exactly what Mr. Stone is trying to get, I have been trying to get since this issue first came up. Some information that would allow us to make an intelligent, fair decision. I too, asked Mr. Lurcott some very pointed questions about some of the facilities in that community, and at the risk of a major debate in Council, I continued to ask him because I felt that we did not have sufficient information to be fair to everyone who was involved. So, again, I would like to have my request put into writing to both the Planning Commission and Mr. Lurcott.

Mr. Givens:

I would have to say that I and other people on this Council got explanatory information back from both Building Inspection and the Planning Department as to exactly what happened in that neighborhood.

Mr. Robinson:

Dick, there were people at the hearing who had legitimate concerns and issues that were never addressed by this Council, okay.

Mr. Givens:

And they never came forward to the Chair either to put their name in.

Mr. Robinson:

They never had an opportunity to speak. I don't want to get into a inter-Council debate here — they didn't have a chance to speak, there were people in that community that requested a public hearing on the issue of group homes in that community prior to the Women's Shelter issue coming up and they did not get their hearing. Now, I am talking about fairness, that is all I am talking about is fairness.

The Chair:

I don't dispute with you that they may have asked for a hearing, but at the hearing that I conducted, each and every person who wanted to speak was allowed to speak, the fact that they became repetitious Bill, was shy I shut them off. One after the other was saying the same thing and they were quite — some of the people in this audience here spoke and they made a very good point in opposition and were very credible speakers and as far as everybody in the room speaking, no, they didn't, there would have been no sense to it.

Mr. Robinson:

Well, I am just trying to clarify with Mr. Givens — so that the impression is not given that everyone's objection was heard, Mr. President, I'm just asking for fairness.

The Chair:

What I am trying to say is that we weren't even told that they asked for a hearing before, see, all this is coming out now.

Mr. Robinson:

I agree with you, 100%.

The Chair:

That is why I said, obviously, I don't see what we have any choice but to recommit.

Mr. Coyne:

Mr. President, several years ago, as you know, you were a member of Council at the time, a similar situation as this group home came up and I think it was in the Oakland area. At that time, we advised the Planning Department to go ahead and develop some sort of a resolution or a recommended resolution from the Planning Commission and from the Planning Department about group homes in the City of Pittsburgh.

For my part, I think we have grappled too long with this particular situation, I think it is time to get on with the vote and either vote it up or down.

Michelle Madoff:

They can't even go out and check the 15 homes and you want an ordinance, you want them to go look at the stuff and come up with something, you've got to be kidding.

Mr. Stone:

Mr. President, I am in a rather precarious position here at this time. I don't have all the information before me and I am asked to vote on this particular issue.

Mr. Lally:

We are all in that position Bob, and we have to take a vote.

Mr. Stone:

Well, its not that, I've been asking this same question and if I get that question answered—let me do it this way, it is with a great deal of reluctance, but because of what is represented to me as being lower than what it was before, in that case, and since I am forced into it at this time, my vote will be yes, but with a great deal of reluctance because of the question not being answered.

The Chair:

Mr. Stone, my sentiments are exactly the same as yours, and I will vote aye.

Mr. Stone:

Mr. President, I think it would be wrong, however, for us just to leave this issue now. This community felt strong enough to come here and complain about it, there are some group homes that are in violation and I would like a letter to go from the City Clerk on our behalf instructing the Building Inspection to go out and close any place that does not have an occupancy permit, forthwith. And then let them take us to court to re-open themselves. This community is entitled to more than just a loss of a vote at this particular time. They are entitled to have their community strengthened and they have made some effort to do it, we owe them that. I therefore request that a letter be sent to Building Inspection immediately.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7	Noes 1 (MR. BULLS VOTING NO)
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Abstaining 1 (MR. ROBINSON ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3941

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from 'R4' Multiple-Family Residence District to

'I-M' Institutional-Medical District certain property bounded by: North Avenue East; Sandusky Street; McKirdy Way; Porterfield Street; Fountain Street and James Street; 22nd and 25th Wards."

Which was read.

Also,

Bill No. 3942

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing a Conditional Use Exception for a limited type of financial institution in the 'I-M' Institutional-Medical District and by amending the present Conditional Use Exception for pharmacy in the 'I-M' Institutional-Medical District."

Which was read.

Also,

Bill No. 4098

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Wilma Jean Woodward Scott for the sale of Parcel 90 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 4099

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Linda G. Starkey for the sale of Parcel 78 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 4311

A Resolution entitled, "Resolution amending Resolution No. 303 of 1979 providing for a

Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Development Action Grant Program by increasing the total allowable cost to \$6,140,000."

Which was read.

Also,

Bill No. 4313

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Downtown Racquet Club, Inc., for the sale of Parcels C-1 and C-2 in the Third Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4314

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James R. Herring, Jr. and Constance Herring for the sale of Parcels 115 and 115A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls
Mr. Coyne
Mr. Givens
Mr. Lally
Michell Madoff

Mrs. Masloff
Mr. Robinson
Mr. Stone
Mr. DePasquale
(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4459 Report of the Committee on Supplies for December 5, 1979 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4328

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (modular style) for the Department of Housing, and for the payment thereof."

Which was read.

Also,

Bill No. 4329

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (file cabinets, desks, etc.) for the Bureau of Employment Training, Department of Personnel and Civil Service Commission and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Robinson
Mr. Lally	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Noes none

Ayes 8

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 4460 Report of the Committee on Parks and Recreation for December 5, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4326

A Resolution entitled, "Resolution amending Resolution No. 48 - effective January 27, 1977, entitled: 'Providing for the construction of a new Playground in Spring Hill, at a cost not exceeding \$30,000.00, in the Department of Parks and Recreation and providing for the payment of the cost thereof' by decreasing the authorization to Six Thousand (\$6,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7

Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne for Mr. Bulls presented

No. 4461 Report of the Committee on

Public Safety for Deceber 5, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4324

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601, Public Order, Sectionn 601.09, SMOKING ON PUBLIC CONVEYANCES OR IN RETAIL STORES, by redesignating Section 601.09 as 'SMOKING ON PUBLIC CONVEYANCES, IN RETAIL STORES OR ELEVATORS,' and by adding subsection (c) Elevators."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Lally presented

No. 4462 Report of the Committee on Lands and Buildings for December 5, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4146

A Resolution entitled, "Resolution providing

for the filing of a petition for the sale of certain property acquired through a Sheriff Sale in accordance with Act No. 787 of 1937 as amended."

Which was read.

Also,

Bill No. 4147

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read.

Also,

Bill No. 4148

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 4315

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library/Institute of Pittsburgh for the removal of Architectural Barriers to improve physical accessibility for the elderly and physically handicapped, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4316

A Resolution entitled, "Resolution amending Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, entitled: 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital

Funds; transferring Bond Funds to said Capital Funds, by changing the amounts allocated—decreasing Capital Project 79-05, Carnegie Library, Central Branch and increasing Capital Project 79-06, Carnegie Library, Miscellaneous Renovations.”

Which was read.

Also,

Bill No. 4317

A Resolution entitled, “Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.”

Which was read.

Also,

Bill No. 4318

A Resolution entitled, “Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.”

Which was read.

Also,

Bill No. 4319

Resolution amending Resolution No. 856, approved 9/29/79, which authorized the sale of property in the 5th Ward at 2041 Centre Avenue and 507 Erin Street, Block 10-N, Lot 287, by deleting the name of Ewari Ellis and inserting in lieu thereof the name of Shirley A. Berry.

Which was read.

Also,

Bill No. 4320

Resolution repealing Resolution No. 1252, approved 12/23/77 which authorized sale of property in the 13th Ward on Baxter Street, Block 174-M, Lot 303, purchasers, King Basking and Alva J. Basking, his wife, have

failed to comply with agreement of sale. Hand money of \$150.00 will be forfeited.

Which was read.

Also,

Bill No. 4321

Resolution repealing Resolution No. 640, approved 7/18/77 authorizing the sale of property in the 6th Ward on Paulowana Street to Larry Cabell for the sum of \$150.00 being Block 25-M, Lot 246. Purchaser has not complied with agreement, hand money of \$150.00 will be forfeited.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, “Shall the bills pass finally?”

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTION

Michelle Madoff presented

No. 4163 WHEREAS, the City of Pittsburgh has issued Requests for Proposals for the purpose of soliciting proposals for a cable communications system to be established under franchise within the City of Pittsburgh; and

WHEREAS, the City has received proposals from four of the largest cable companies in the United States, and these

proposals are presently being reviewed by the City's Bureau of Cable Communications; and

WHEREAS, the submission of a proposal in response to this Request for Proposal constitutes an irrevocable offer until midnight, local time, February 1, 1970; and

WHEREAS, Council has appointed a Cable Communications Advisory Committee which acts as an advisory body to Council with regard to the best use of the cable communications system in the City; and

WHEREAS, it is the responsibility of this Council to review and evaluate the findings and recommendations of this committee in order to make a well educated vote for a cable franchisee on behalf of the citizens of Pittsburgh; and

WHEREAS, the rapid increase in the volume of work resulting from daily Budget Hearings will seriously impede Council's ability to thoroughly examine the recommendations of the Cable Communications Advisory Committee and hinder Council's personal evaluation and recommendations for a cable communications franchisee.

NOW, THEREFORE

BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Administration to request that each of the four applicants who submitted a proposal for a Cable Communications System to the City of Pittsburgh extend the deadline date of its offer from February 1, 1980 to March 1, 1980, in order that Council may better evaluate the proposals and cast an educated vote for a cable communication franchisee on behalf of the citizens of Pittsburgh.

Which was read.

The Chair:

Is there a second on the resolution?

There being no second, the resolution fails.

Michelle Madoff:

May I just make a quick comment — we didn't read the entire resolution, but the resolution goes on to say why I requested this extension. It is not my intention in any way to delay Cable, Lord knows its been long enough, but looking at the schedule that Brother Emenecker and the Committee have, they are going into January, in the middle of January, they will come back and give us a recommendation, or we will go to the Mayor and subsequently to us with a critique. That would give us approximately two weeks to approve or deny that particular company and look for another one.

According to Virginia Cooke, as of February 1st, if we have not signed, not only decided, but actually signed with a company, the City is in violation. They get into the issue of companies withdrawing their request and others copying them and lawsuits occurring from just that type of action. I think that there is money available, I have put forward to the companies, I wrote the same recommendation to the four companies to see how they felt about it, I have already heard from two of them, one is Mr. Block, I don't know the name of that company, but the one Mr. Block, the Post Gazette is connected with and I heard from Warner and they are perfectly amenable to going on, I feel that I will hear from the others — well, I know one isn't, that is ATC, but I think we would hear from the other in the affirmative.

My only concern is that we have at least 30 days, we are so busy in budget, as you remember last year we were here on New Year's Eve. The way we are going now, I don't know whether we will be here on New Year's Eve or not, Mr. Stone may want to comment on that, but we really don't have very much time and we haven't gone into a lot of the Capital Budget and we ended up doing that in January last year and unless Members of Council are prepared to just say, we'll take whatever the Advisory Board recommends, we really don't have any time to do any evaluating. The reason I introduced this resolution is that I happened to be having dinner with somebody who works in the City in the Planning Department, who inadvertently has been receiving calls from people who are in the neighboring com-

munity saying that their cable is not clear, the pictures aren't good, the picture is green, the Cable is out for 24 hours. Little old ladies are calling them and saying, "I'm not getting even 2, 4 and 11 that I would get without Cable, they don't know how to disconnect it and I think at the very least we should know that there is going to be a technically sound deliverable system with good service and I cannot see how we could possibly not want to give ourselves at least a month to review it.

The Chair:

Michelle I am now concluding eight years on city Council and nobody has pushed harder for Cable TV in that time than I have had it has been one obstacle and roadblock after another. You may say one month is only a month, and we've gone this long, but it is one month now, and two months, three months and the first thing you know, the good citizens out there are never going to get Cable TV and I personally feel that they shouldn't be one more day delay.

Mr. Stone:

Mr. President, so that Michelle understands, the last time we had an amendment to this bill, I said then what I meant, and that is there will be no more amendments, no more changes, nothing. As far as this Cable TV is concerned, we are going to reach that point, its rug-cutting time, no matter what our constraints are we are going to have Cable TV. What I have been seeing now and it is what I predicted then. We had too many politicians involved then and now they have gone underground and before it is over we are going to have a heck of a lot more problems, as I see it, let's go before this thing gets out of hand.

I personally — and it has nothing to do with your bill — but I said it then and I meant it then and I am not going to go for any new amendments.

Michelle Madoff:

May I just ask you a question. What happens if in the middle of January, the Advisory Board comes up and recommends a company that you personally don't like and

we vote against it — Council votes against it. How do you find a company that we have enough votes to agree on.

Mr. Stone:

I'll take the chance that the Mayor in his infinite wisdom will be able to find the one that I think should be in.

Mr. Givens:

Mr. President, I just have one comment to add, Michelle's concern of wanting to delay it, one of her concerns was the fact of wanting to get some technical assistance in here for the City of Pittsburgh. I have relayed this to Brother Emenecker and to the Cable Communications people that I feel that this Council, if the Administration doesn't want the technical assistance, I feel that I personally would like to see some technical assistance — people come in here and counsel us as to the technical end of it. I am talking about the hardware that is going to be bought, the software that is going to be bought to transmit this particular Cable Communications System.

I have been in too many cities where I have seen Cable TV that had very very poor reception and I would hate to see us run into something and then end up with inferior equipment as. As Sophie has indicated to me, all the companies, just about — I mean we give them certain specifications to deal within, because we can either get a Cadillac or we can get a little Volkswagon Rabbit out there to transmit us from home to downtown, the same with transmitting that Cable Communication, that video and voice throughout and I give this as a caution from the experience that I have had in my lifetime that we are going into a multi-million dollar adventure and I don't feel that we have people on staff — we have people who are knowledgeable but we don't have people that are on staff that are technically aware of what some of the specifications are for the equipment that is going to be used to transmit this cable communication. I use this as a word of caution and I would like to see, there is money been set aside and appropriated for this Council. If, when we get down to it, if we feel that we need this type of technical assistance, then I think we should call upon it and I think we should do it as

quickly and as rapidly as possible to get some type of consulting firm aboard, because I'd hate to see the picture go out — get us a back picture.

The Chair:

Mr. Givens, I appreciate your comments, but throughout the City of Pittsburgh, for some reason or other, take for example, Oakland, I know I can't get 2 and 11, a lot of Oaklanders tell me the same thing. North Side I understand they have trouble with 4, and other parts of the City maybe 11 or 13 or what have you. They are telling us that Cable TV will clear all of this up. I'm not saying it will, but hopefully.

Mr. Givens:

Not necessarily so, Mr. President.

The Chair:

I agree with you 100%, I have heard stories like you are telling, that after Cable TV was installed the reception was no better.

Mr. Stone:

Dick, as I see this thing right now, I don't know how you could possibly expect, with a consultant, that he can educate you on the whole process of Cable TV in such a short time.

Mr. Givens:

He is not going to try to educate us on the whole process Bob, it is the type of equipment —

Mr. Stone:

Let me finish my point — that is step one.

Mr. Givens:

Bob, you have up-link, you have down-link, you have satellite communication, you have a lot of forms of transmission here and then if they bring in —

Mr. Stone:

Let me finish my comment. That is number one. Number two, there isn't one con-

sultant agency today that is not biased one way or the other.

Mrs. Masloff:

Absolutely.

Mr. Stone:

I happened to serve on the Task Force, the Transportation Task Force and I saw the biggest snow job ever pulled in the City of Pittsburgh and this County and this region, when all they did was add two more columns and we went from Skybus to LRT. Skybus, we could have been riding today for \$60 Million. LRT, we are not even in yet and we are up to \$480 Million and we are still going strong. Now, if that hasn't taught me one thing, nothing else will.

Michelle Madoff:

Well, there is the possibility Mr. Stone, of having the four companies decide on the independent consultant and I have the names of three who do this work professionally. If the four companies could decide on who, or if three out of the four could decide on who, they could all agree on that would be a reasonable request. I must tell you that in Hilton Head we got a horrible picture on Cable.

Mrs. Masloff:

I don't know why we should ask the companies to tell us what to do. We are going to make the decision.

Michelle Madoff:

Well then we can decide amongst ourselves.

The Chair:

We could debate Cable TV from now until the end of time.

Michelle Madoff:

Mr. President, you do know that the gentleman that was here last week to talk to us about the Conneaut situation the attorney is

with us today and he was asked to come back, last week we ended very abruptly and today we are running overtime and I apologize, but I think we should listen to what he has to say because it affects the well being and the welfare of this community job-wise.

Mr. Stone:

I would like to get one comment on the record before we do that. Mr. President, last August, we had a great deal of concern about the CETA Program and their request for an extension or waiver on the CETA employees. During our present budget discussions, we discovered that there is 1.761, and I correct that — \$1,761 Million available in the year 1980. There are three months of CETA people we could use for the first quarter, 87 people times \$12,000, that would give you \$1.4 Million, divide by four, that is \$261,000. We could use 180 people for 6 months of 1980 at an average salary of \$10,000 and that brings us to another \$900,000. And those to whom we pay the most money, we could keep for nine months, 80 people at \$10,000 and that comes out, for nine months, \$600,000. Totaling that we have \$1,761 Million.

Michelle Madoff:

I don't understand what you are getting at?

Mr. Stone:

If you will just let me finish I will get to that. This was not plugged into the Mayor's Budget, nor has there been any attempt since to include it into the Mayor's Budget. We discovered it in our Budget deliberations last week that this money was available in five minutes of questioning.

There seems to be a conflict. The Directors say that the Personnel Director didn't tell them. The Personnel Director says she did. The other confusion is, the Personnel Director says she can, then she can't then maybe, then maybe she can tell the positions, maybe she can tell the individuals, or whatever it is, as who they are that might be extended.

There has been a complaint, as I un-

derstand it, from the Administration that we aren't getting enough of our share of federal dollars. Here is \$1.761 Million—it is ours for use in 1980, but it was not included in the 1980 budget.

As Finance Chairman, I have ordered the Personnel Director to figure it out and hopefully attempt to save the \$1.761 Million. I sincerely hope that we are not too late, but to be quite blunt, I think we might be. Nevertheless, if we lose it, this will be \$1.761 Million that we will have to tax the citizens of the City of Pittsburgh for additionally, because we got an extension, but our Personnel Director, or the Directors could not agree on what positions could be extended for three or six or nine months so we could use that money. As it is right now, it is not plugged in and regrettably, we could possibly lose \$1.761 Million.

The Chair:

Thank you Mr. Stone.

The Chair, presented

Bill No. 4464

Communication from Richard S. Caliguiri, Mayor, submitting the name of William T. Coleman of 7130 Mt. Vernon Street as a member of the Board of Code Review for a term to expire January, 1974.

Which was read, received and filed.

Also,

Bill No. 4465

A Resolution entitled, "Resolution approving and confirming the appointment by the Mayor of William T. Coleman as a member of the Board of Code Review for a term to expire in January, 1984."

Which was read.

Also,

Bill No. 4466

Communication from Richard S. Caliguiri,

Mayor, submitting the name of Sharon O'Neill of 5816 Callowhill Street as a member of the Board of Code Review for a term to expire in January, 1984.

Which was read, received and filed.

Also,

Bill No. 4467

A Resolution entitled, "Resolution approving and confirming the appointment of Sharon O'Neill as a member of the Board of Code Review for a term to expire in January, 1984."

Which was read.

Also,

Bill No. 4468

Communication from Richard S. Caliguiri, Mayor, submitting the name of James G. Sterling of 6466 Pickering Court as a member of the Board of Code Review for a term to expire in January, 1984."

Which was read, received and filed.

Also,

Bill No. 4469

A Resolution entitled, "Resolution approving and confirming the appointment by the Mayor of James G. Sterling as a member of the Board of Code Review for a term to expire in January, 1984."

Which was read.

Mr. Stone moved to hold the appointments for two weeks.

Mr. Givens seconded the motion.

Which motion prevailed.

The Chair:

Would the gentleman from Conneaut please come to the podium and identify yourself.

Mr. Kennedy:

Yes, my name is Tom Kennedy and I am the attorney for the environmental plaintiffs in the Conneaut Suit, Lake Erie Alliance vs. Corps of Engineers and I am from Pittsburgh, not Conneaut.

Briefly, to describe the suit, the suit is by a group of environmentalists, steelworkers and religious groups against the Corps of Engineers and the Ohio EPA and it concerns the proposed Conneaut Plan of U.S. Steel, the largest steel mill in the world if it were built. 7.5 million tons of finished steel a year. To give you an idea of the scale of that, U.S. Steel's total capacity or output now is about 30 million, so that would be approaching 25% of U.S. Steel's total capacity.

The suit, which is in Federal District Court, alleges that the environmental impact statement for the plant was inadequately drawn up on several grounds. The main one that Pittsburgh is concerned by and that the steelworkers are in the suit for is that the impact statement does not address Pittsburgh, Youngstown or the other older steel making communities sufficiently as alternative sites for the plant. This is what you might call the Greenfield/Brownfield issue—in other words, should steel mills in the future be built in Greenfield facilities, along the Ohio border of Lake Erie or in other places outside of the North East area where steel making has been traditionally done, or should older plants, such as Homestead, Youngstown, Ohio and the other similar facilities be renovated as an alternative.

So that is the main cause of action that the steelworkers are pushing. The environmentalists are concerned about Lake Erie, already the dead lake and that Lake Erie simply cannot support the environmental effects of a plant this large, it is already in violation of many of the air and water quality standards.

The reason I am here today is to solicit

City Council's support and I think really, what this issue is all about, is the future of Pittsburgh and of Homestead and Braddock and of Youngstown Ohio. My perception has been that the steelworkers and Ron Weisen was supposed to be here today but he couldn't make it. He is the President of Local 1397 in Homestead. They have reached the conclusion in the last few years, that the failure to install pollution control technology is really no different than the failure to modernize and is the best indicator that you can get the plant is going to close and I think if you hear or read in the papers, or talk to any of the steelworkers in the plants that have been closed, they will tell you this. There hasn't been a lot of renovation in a lot of these plants. In Homestead we are talking about 6,400 jobs and the Homestead steelworkers are plaintiffs in this suit because they believe that their plant is threatened by Conneaut and if Conneaut is built, you are talking about 7.5 million tons of finished steel capacity that is not going to be produced in Pittsburgh, in Youngstown, in Wheeling, West Virginia and similar communities.

So, although the context is in environmental, the National Environmental Policy Act, what the suit says is, when you look at all the costs and benefits of building Conneaut, you should look, not only at the benefits of creating jobs in Conneaut, you should look at the cost of destroying jobs in the older steel mill towns. And that has not been done, Pittsburgh is a dot on the map and that is it, it drops out of consideration as an alternative site. Which might be a good indication to you of the future of Homestead or of similar plants, if that is not addressed.

So, that is the structure of the suit, it is very detailed, I have a copy of it here it is over 60 pages long. We are pursuing the suit, it is in the discovery stage, what I can say is you could do one of three or four things, you could support the suit, you could join the suit as co-plaintiffs, you could support the groups, both steelworkers, ecumenical and environmentalists, financially, or you could do nothing.

These people need a lot of work, a lot of the plaintiffs have been doing a lot of hard work trying to pin down the costs and benefits of Conneaut and its effect on the

older communities. The suit itself is chock full of facts, and I urge you to address this problem before Homestead becomes a Youngstown and Youngstown is already on its way.

Mr. Lally:

Who do you represent?

Mr. Kennedy:

I represent the three environmental plaintiffs, Lake Erie Alliance, Stanwin Neighbors and Concerned Citizens of Conneaut, but in fact, the lawyers are a team who all represent the same groups.

Mr. Lally:

From the steelworkers.

Mr. Kennedy:

Yes. The steelworkers attorneys are Jim Callin and Staunton Lynn from Youngstown Ohio Legal Aid Society.

Mr. Lally:

Are these part of the U.S. Steel staff?

Mr. Kennedy:

No, the plaintiffs are three locals of U.S. Steel, Local 1330 of Youngstown, 1397 of Homestead and 1462 of Youngstown.

Mr. Stone:

What about the International, why don't you have them?

Mr. Kennedy:

Yes.

Mr. Stone:

You do or don't? Do you or do you not have the International?

Mr. Lally:

That is what I want to know.

Mr. Kennedy:

No.

Mr. Lally:

You don't?

Mr. Kennedy:

No.

Mr. Stone:

Why not?

Mr. Kennedy:

Why don't I think so? Well, as an attorney, I am somewhat restricted as to what I can say about the suit, I mean, I am talking now from my own perspective. I think you are all very familiar with International's position on the older plants, such as Ambridge, and this is a purely personal perception, that the International—

Mr. Stone:

I don't have any problem—

Mr. Kennedy:

... has decided to write off the older plants.

Mr. Lally:

He has problems with me because I think the International should be represented.

Mr. Stone:

Well, I think that should be first, before we are asked.

Mr. Kennedy:

Well, that was already gone through, they were already approached.

Mr. Stone:

As far as the International, I don't see that is a problem, what has happened down there, this is a lot of bull, the one that was pulled by Wheeling-Pittsburgh the other day

is the most gross problem I've ever seen. Seven people are making \$50,000—how many officials are making \$200,000? Not everybody is making \$50,000 on incentive.

Mr. Kennedy:

Well the real issue here is whether anybody will make anything if these plants are closed.

Mr. Stone:

Well, that is still a question, I think that the propaganda machine by Pittsburgh-Wheeling doesn't impress me.

The Chair:

Well, I agree with Mr. Lally, until we hear from the International, I don't know what stand we can take.

Mr. Lally:

If the International represents it, fine, I'm 100% with it Mr. President, but I don't think—

Mr. Stone:

I am sympathetic to your cause, I'd like to see the International with it.

Mr. Kennedy:

We would too, but as you can see from the locals, the locals that are represented are the locals of the older plants. Two of which of those three plants, by the way, have been closed since we filed the suit.

Mr. Stone:

Those of us who have some insight into the labor movement, know that some of the locals have had some problems with the International.

Mr. Kennedy:

Oh yes.

The Chair:

Thank you sir.

Mr. Stone moved to approve the minutes of Monday, December 3, 1979.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Excuse me, Mr. President, I want to request a Post Agenda item, for after the first of the year, I just want to make sure we have it. You know the situation with Chances R has brought to light that we had better

start looking at our inspection system, because if memory serves me well, and I have a pretty good memory, I remember, either Mr. Sanner saying to us, that the cause of the Chances R fire was a pulley on the furnace and they brought in specialists from out of town to prove that this was not the case. I want to have a hearing as soon as we can after the new year to talk about inspection, the inspection department.

And on motion of Mr. Lally

Council adjourned.

Municipal Record

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Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, December 17, 1979

PRESENT:

Mr. Bulls	
Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

ABSENT: Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Bulls presented

No. 4470 Resolution providing a residency exemption for certain employees of the Allegheny County Bureau of Criminal Identification who will become employees of the City of Pittsburgh effective January 1, 1980.

Which was read and referred to the Committee on Finance.

Mr. Stone presented

No. 4471 Resolution providing for the issuance of a warrant to Norfolk and Western Railway Company in the amount of \$3,500.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 4472 Resolution providing for the issuance of a warrant in the amount of \$1,425.69 to Martin Bradley Meyers in full settlement of claim for property damage, and providing for the payment thereof.

Also

No. 4473 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Chapter 201, City Treasurer, by adding Section 201.10, Registration of Tenants.

Which were severally read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 on the bills presented today so they may be placed on the Agenda this Wednesday.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Stone:

I would just like to make a comment on Bill No. 4473, so that everyone is aware of what it is without the technical language. I

will read the first paragraph and I think it might answer what is being attempted here.

"The Treasurer is authorized and directed to adopt a procedure whereby all owners of real estate within the City or thier agents, are required to furnish to the Office of the City Treasurer or his agents, in writing, the names and addresses of all adults, together with the number of children in each household, who are occupants of the property during each tax year, on a calendar year basis."

My reason for introducing this bill, and I will be asking for passage, is the fact that there are many people who live within the City of Pittsburgh who are not aware that they have certain responsibilities, and the present approach here is that we will find out who lives in the City of Pittsburgh. There will then be sent from the Treasurer an informative letter indicating you may not be aware that there are certain responsibilities that you have as responsible taxpayers within the City of Pittsburgh. In short, there are many people who don't know what they are responsible for and we are trying in a period now where no one wants taxation but obviously it has to be there to try to get as many people to pay all that they are required to pay so that some lesser amount than that does not have to carry the burden for those. That is the reason for this.

Every landowner—who owns real estate, or their agents, will notify the City Treasurer who lives in that particular property and then the City Treasurer will send them a letter indicating that these are the kind of taxes you may be required to pay. The advantage to that is—anyone who has been up in Orphan's Court, whenever they close a case, if they find out you have lived in the City of Pittsburgh, you then pay all that back tax, plus penalty plus interest. What this is designed to do is to tell you, these are your responsibilities, and you can pay them as you go. Likewise, it is my understanding that this kind of legislation could very well add about 20% increase on that particular tax to the City of Pittsburgh.

Mr. Givens:

Mr. Stone, do you feel that the privacy of

the individual person is—not being compromised, but that information is being asked that in some cases, the Census Department has a great time in trying to get this information, and is this on landlords and property owners? What about individual owners, like a resident of the City of Pittsburgh who owns their own home?

Mr. Stone:

Those who own their own home, it would be part of the real estate. They are obviously getting notices from us. The one who does not get a notice from us is a tenant.

Mr. Givens:

Well, if the City has a problem in that area, you are putting a burden on someone to make this report. Could not the City send letters to the occupants of a particular building and they still get them, the same thing. Saying the same information, what the City wanted to know exactly then, who would be reporting and who would not be reporting.

I go along with the thought and the idea, but I hate again, to add areas of responsibility from government to the people, meaning asking for more reports and more information. This thing compounds itself and causes additional Administrative cost on the part of people who are in that particular business.

Mr. Stone:

Well, I don't want to debate the whole bill, but just let me give you this much. Right now, when we are going to have to tax people, and some people are not paying their tax, and I think that we can receive additional income, not by increasing our base, but just having those who are responsible and have to pay, pay. Now, I don't see that we are overly burdening anybody, you know who all the landlords are, and just finding out who lives there and sending a notice to them, that these are the taxes that they may be liable for, and if they are, pay them. That is what we are doing every day when we impose a tax and I don't think that anybody should be free of that particular responsibility and since it is additional monies that we can not have to tax others for, I think it is

worth that particular portion of it. I don't see it as an invasion of privacy in any respect.

Michelle Madoff:

Mr. Stone, didn't you go through this last year and wasn't this already passed to do this?

Mr. Stone:

No, it was not, so we are going to do it now.

Michelle Madoff:

But it was your intention that this should be done last year, wasn't it? And you are saying now that it wasn't done so you are taking some official action to make it happen.

Mr. Stone:

Correct.

Mr. Lally:

Bob, will we have this on the agenda this Wednesday, is that what you are saying?

Mr. Stone:

Yes.

Michelle Madoff:

Do you know why it wasn't done, Mr. Stone?

Mr. Stone:

Because we didn't put it in.

Michelle Madoff:

I don't understand, they couldn't have done it without an official document?

Mr. Stone:

You have to introduce the ordinance, and it was a question at that time, this is an amendment to the Code and right around that time, we were not sure whether to wait until we got the Code finished or whether just to introduce it blank.

UNFINISHED BUSINESS

The Chair presented

Bill No. 4474

Communication from Mayor Caliguiri, returning with his veto, Bill No. 3845, Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, to use the existing structure at 7211 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc. as an Institutional facility, 14th Ward.

Which was read, received and filed.

Also,

Bill No. 3845

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, to use the existing structure at 7211 Thomas Boulevard by the Women's Center and Shelter of Greater Pittsburgh, Inc., as an Institutional facility, 14th Ward."

Which was read.

The Chair:

Ladies and Gentlemen of Council, in order to pass that legislation, seven votes were required, however, I am informed that on the veto, only six votes are necessary to override the veto.

Mr. Givens moved to override the veto.

Mr. Lally seconded the motion.

The Chair:

Is there any discussion on the motion?

Michelle Madoff:

Mr. President, may I reserve the right to make a comment after the vote, I don't want to say anything prior to the vote.

The Chair:

Yes you may.

Mr. Coyne:

Mr. President, I would like to have the Parliamentarian come up to the microphone and state the answer to the question of how to vote either to override or to sustain the Mayor's veto.

Parliamentarian:

The proper method to vote on a motion to override the Mayor's veto, the motion would be, "Do you wish to override the Mayor's veto?" If you wish to override the Mayor's veto, you will vote "aye", if you do not wish to override the veto, and or sustain the Mayor then, you would "nay".

The Chair:

Is there any further discussion on the veto?

And on the question, "Shall the veto be overridden?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes 1

(MR. BULLS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the veto was overridden.

Michelle Madoff:

Mr. President, it appears that the question of my integrity, as to whether I am concerned about communities was impugned and I was picketed yesterday. I want to put the blame for this fiasco squarely where it belongs and that is at the Administration's feet. The issue was not really the shelter, the issue is the community, because if things continue as they are, there is no guarantee that other group homes will not come into that community.

First of all, I want to take to task the gobbledygook that we received from the Administration, from Mr. Lurcott. I have his letter here giving us the list of the number of facilities that he outlined originally, there were 16, supposedly, and when Mr. Stone said, "but what is really a group home? I don't want to know what your definition is, how many are there really?" We did not really get a firm answer.

It is somewhere—from my research—actually two official group homes and six quasi, in total, group homes.

When the community came to me with the Mayor in July, and I have no knowledge that any of us were informed of this meeting, either from the community or from the Administration. They were promised by the Administration that no further homes would be impacting their community, why didn't the Administration, right there and then, take the block that was "R4" and re-zone it to "R2"? Because here we have a facility that everyone, even the people in the community, believe there is a need for, the Women's Shelter. And they are going into a legally zoned area, "R4". Had that zoning taken place, we wouldn't be sitting here addressing this problem.

Furthermore, the people at fault in this particular issue, perhaps, where the blame lies mainly, is with the realtors. Why? Because it appears from the people who came to my home yesterday, that steering is going on. They are steering white people to blocks with white homes, and trying to steer people into areas to create entirely black homes, which is wrong, and furthermore, I learned yesterday, and this is heresay, but I believe the people who told me this, that Willie Stargell's sister moved in next to the Boy's Shelter, the Delinquent Boy's Shelter, and his sister didn't know about it because the realtors don't come in and tell you what's in the community and I think that is unfair.

I really believe that the scapegoat of this whole issue has been made Council and I say that because I was not here, but I understand that an almost identical situation took place a couple of years ago in Oakland and the Mayor promised at that time, that he would rectify this problem by introducing some

legislation so that all the group homes would not impact in one area. I challenge the Mayor, where is that bill? And does that bill go far enough? I have never seen it. Does that bill go far enough?

I spoke to Lurcott in the hall and Bob Lurcott told me, it's a politically sensitive bill, nobody wants to deal with it. Well, I'll deal with it, I don't want anymore homes going into that community. Let's get that bill here, let's deal with it and if it doesn't go far enough, I also spoke to Ginny Thornburg last night and said, "Ginny, we've got to do something so the responsibility for our communities, when we have people who are underprivileged or people who have medical problems, or whatever happens, going into the community, doesn't fall only into one community", yes I accepted in Squirrel Hill, when my neighbors—not unless the law is passed—will it go into Mt. Lebanon, will people leave the City and go into Mt. Lebanon? Only if there is a bill that says all of us have to accept the responsibility for any disasters that may befall the community as a whole.

I think I've said enough.

Mr. Bulls:

Michelle I would like to ask you a question? You don't want anymore group homes in that area after this home, is that right?

Michelle Madoff:

I am saying that we should not impact and do something illegal, first of all I don't believe it is going to make one iota of difference to the community—I really don't believe that, but I understand this position. The group home is not the issue, the issue is the community. Change the zoning—have the Mayor's Building inspector start enforcing the laws that they should have done three years ago when he met with them and I refuse to be the scapegoat for this issue—

Mr. Bulls:

That is not what I asked you.

Michelle Madoff:

I believe that all communities should take their fair share, that is my answer—including Squirrel Hill, where I live.

Mr. Bulls:

My question was, you don't want anymore group homes in that area after this one?

Michelle Madoff:

I didn't say that, I said no group homes should go in in excess to any community and I don't think there is an excess now because according to the information I have, that is not the fact, and I forgot, I'm sorry Mr. President, I'm a little excited, I forgot the main point.

I made a deal yesterday with the people who picketed my house, and I told them that if the Mayor would have the fortitude, I wasn't that ladylike—to come to Council today and say to Members of Council, "I will check with the theological seminary to see that indeed the shelter can remain there until I locate something else, and if Council will give me, as Mayor, two months, I will go to every real estate company in the City, I will put my staff to work as a priority item, to not only locate a facility, and one that is not in a high crime area, so women who are beaten in the middle of the night, have to go to some facility that they are afraid to go to, but it would have adequate transportation, adequate facilities and if the dollars were not there, we would generate the money from UDAG" if the Mayor would do that, if he would come before Council and stand up before us—and I understand he is out of town, but we could have had Dave Matter or Ben Haylar do this, I'm sure they spoke—I would wait on overriding the veto. And as you can see the Mayor did not show up today and I think that says it all.

Mr. Coyne:

Mr. President, I think the Planning Department has been too long in addressing itself to this problem, as you well know, having been a member of Council some two or three years ago, this problem came up

before Council and we grappled with it and we made decisions about whether there were going to be uses allowed and at that time the Planning Commission told us that they were going to develop a policy and come back to Council with some kind of recommendations as ways to alleviate the problem in certain areas of the City where group homes were dense, Oakland being chief among them. I was waiting with some anticipation that a policy would be developed by the City's Planning Department and unfortunately they haven't addressed themselves to it. I would urge them to address themselves to it before many of the similar circumstances under which we have voted today come about again.

Michelle Madoff:

May I suggest Mr. Coyne, that we have a letter come from Council members urging that that bill get to us immediately, because I understand it is a sensitive political bill, when somebody is running for office, you don't want to be forcing people to take homes into your community. I think we are saying as a body that we are willing to deal with it, let's force that bill out of wherever it is sitting in limbo.

Mr. Coyne:

Well, I would hope that it won't take a letter between Councilmen and Administrators in the City to get something done, I would hope that they would continue to address the problem and get it here as quickly as they can.

Michelle Madoff:

But it has been two years or better Bill and the bill is still sitting around.

Mr. Givens:

I would like to add one comment, I've been working on this Committee if you want to call it that, it was through my insistence and other members of Council at that time to form such a committee. It is not as easy a task as one thinks, I mean, they had to go out almost block by block, City neighborhood by City neighborhood, 62 different districts and try to find out what homes were in the City of

Pittsburgh and then the State compounded this, the Federal Government, in some cases compounded it and the Courts have compounded our issue. So, it is not a simple thing, the ordinance was written, it was circulated among the various groups who put up group homes and many of the people felt it was unjust. It is going through revisions again, it will have to come before this Council. Hopefully the Administration will iron out most of the wrinkles that are in it so that when it comes up here we will have a clear cut issue of what we are going to debate on that particular ordinance, either pro or con, it is coming up, it has been there, but it is going through a lot of dialogue right now and this particular vote, may I say, Mr. President, never falls on the shoulders of one person in Council, it takes nine people on this Council to make a vote, it takes six votes to override the Mayor's veto.

Mr. Coyne:

Well, I would just like to respond, Mr. President, that if there has been long study and many things done on it, it just seems to me then someone has to make a decision and maybe that is what we are lacking is someone to make a decision.

The Chair:

That is what I wanted to say, Mr. Coyne, that in the three or four years time, somebody by now should have made a decision. Your point is well taken Mr. Givens and Mr. Coyne is correct, it is every bit of three or four years and in that time they could have done that work, even go house to house. Certainly in three or four years, the chore could have been completed, and we are no closer now than we were then.

Michelle Madoff:

Mr. President, you got this copy, as we all did, dated November 13th, if you can decipher it, I would appreciate your telling me what it says. If these are the same people going into the communities, and they are coming up with this kind of garbage and this kind of gobbledygook, we will never have a bill.

Mr. Stone:

Mr. President, I would be remiss at this time if I did not speak, in what I would say is the sense of fairness. I looked at the interest of the community, I looked at the interest of the Women's Shelter in this particular case and I've tried to maintain what I think is a level position on it. I think the community and the Women's Shelter tried to keep a kind of leveling position on it, they were not adverse to one another, at least when they started, somehow it got sidetracked. I've heard in this particular room, however, some comments that didn't come to my ears, what I think were necessary and responsible as far as this kind of legislation.

One was a blatant accusation that the community did not want to work with the Women's Shelter. As I have indicated before, I think that those of us who move into a community must learn that that community has some rights and it is a question of who goes to whom. But, nevertheless, I think, for the community to speak up, they are entitled to that. There have been some accusations that the community had done a bit of orchestration. I believe those of us who became proponents of one theory of a bill, or one side of a case, ought to sometime look in some mirrors and see if we likewise, haven't orchestrated. And I think in this particular case, everybody put their best foot forward and they did orchestrate and they did campaign and they did put a vigorous campaign here completely. People have approached me from both sides of it, I have no objections to that, I just find something at fault when people accuse one group of doing it and say it's okay when the other—or at least try to hide the fact that they are doing it.

I am told here that everybody's to blame, but everybody here, and I begin to wonder about that one, because that bothers me again, relative to the citizens of that area, I am told that they are at fault because they didn't ask for an "R4" zoning, or an "R2"—well, it is my understanding that the law presently doesn't permit group homes in that community and therefore, they have all the rights and all the protection that they presently need as long as someone is going to protect it.

I would not like to leave this meeting where someone has gotten the victory and someone has gotten the loss. If anything we have lost because we have been not able to resolve this issue the way it has been properly done with a kind of level approach that I think is necessary. When you have two groups as we have here, both concerned—the citizens weren't complaining because they were anti, the citizens were complaining because they were trying to maintain the stability of their particular community. The Women's Shelter had a cause, a cause that they believe in and they think should be there. What has been attempted here, to which I am greatly disturbed about, is an attempt in this body, and not outside this body, to make it a political issue. I think this thing could have been handled much easier if we didn't have so many people in this particular body trying to pretend that they were waving the flag and carrying the banner solely for a particular issue. There is the liability, there is the problem, and there is a lack of understanding of the issue. No where else but in this particular body which made it political and it need not have been political before it came here.

Some people tend to make loose remarks as has been quoted in the newspaper that some people say that their phone is the only one in the phonebook. My phone number has been in the phone book a long time, my address is well known, I don't think there is anybody's address who has been more advertised than Robert Rade Stone. And for somebody with a loose tongue to say that they were the only one and make an accusation that everybody is hindering, I take a great aversion to that one and I think that it is about time that we stop being political about every damn issue on this Council and start with some levelheadedness that is absolutely necessary at a time and with a tender issue as we have had here.

The Chair:

Thank you Mr. Stone.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4475 Report of the Committee on

Finance for December 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4323

A Resolution entitled, "Resolution transferring the sum of \$4,800,000.00 from the Water Fund to the General Fund of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 4323 shall be the date on which it is signed by the Mayor.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 5 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4342

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, Pennsylvania 15222, in the amount of \$538.00, in payment for numbering and repairing Police badges furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4350

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc., in the amount of \$224,000.00 as partial payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street and Itin Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4354

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Monongahela Connecting Railroad Company, 3540 Second Avenue, Pittsburgh, PA 15219 in the amount of \$1,809.39 in payment for Flagmen Service furnished for the benefit of the City in connection with locating the washout on the 36" water line at the 7th Street river crossing and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

I am voting no on this bill because the rate of pay for this person is excessive.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale

Ayes 6 Noes 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4355

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, N.J. 07960, in the amount of \$5,529.00 in payment for repair to a 12" water main beneath the Forbes Avenue

Bridge and providing for the payment thereof."

Which was read.

Also,

Bill No. 4356

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., in the amount of \$1,850.00 in payment for installation of two brick water valve manholes at Dallas & Hamilton Avenues and Jorday Way & North Millvale Avenue furnished for the benefit of the City in connection with City Controller Contract No. 23555-F, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4357

A Resolution entitled, "Resolution transferring \$2,500.00 from Code account No. 1700, Salaries and Wages, Regular Employees to Code Account No. 1701, Miscellaneous Services."

Which was read.

Also,

Bill No. 4360

A Resolution entitled, "Resolution providing for the transfer of funds, in the amount of \$9,700.00, from Code Account 1830, Salaries, Regular Employees, to Code Account 1800, Salaries, Regular Employees, to meet necessary salary costs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4369

A Resolution entitled, "Resolution providing for the issuance of a warrant of James B. Martin, Jr., care of Harry N. Snyder, Esquire, 1030 Grant Building, Pittsburgh, Pennsylvania 15219, in the amount of \$900.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4370

A Resolution entitled, "Resolution providing for the issuance of a \$1,624.82 warrant to

Frank J. and Mary U. Mangieri in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4371

A Resolution entitled, "Resolution transferring the sum of Two Thousand Dollars (\$2,000.00) from Code Account No. 1016, Salaries, Regular Employees, Mayor's Office to Code Account No. 1018, Supplies, Mayor's Office."

Which was read.

Also,

Bill No. 4372

A Resolution entitled, "Resolution authorizing and directing the City Controller to transfer the sum of \$100,000 from Code Account No. 45, Health Insurance, Municipal Employees, to Code Account No. 54, Group Insurance Plan, Municipal Employees."

Which was read.

Also,

Bill No. 4373

A Resolution entitled, "Resolution transferring the sum of \$25,000.00 between Code Accounts within the Department of City Controller."

Which was read.

Also,

Bill No. 4374

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Coopers & Lybrand for Professional Services in connection with a Requirement Study for Financial Management Information System for the City Controller and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4375

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies including but not limited to Community Action Pittsburgh, Inc., Goodwill Industries of Pittsburgh, Inc., Education Programs Diocesan School District of Pittsburgh, Bidwell Cultural and Training Center, Inc., Opportunities Industrialization Center, Inc., Pittsburgh Building Construction Industry Administrative Committee for Research, Education and Training, Inc., Pittsburgh School District, and Allegheny County Chapter - Pennsylvania Association for Retarded Citizens for the implementation of the Comprehensive Employment and Training Act, Title II, Part B and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4387

A Resolution entitled, "Resolution transferring the aggregate sum of Fifteen Thousand (\$15,000.00) Dollars from various accounts to Code Account 1501, Premium

Time, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4429

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$10,791.33 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4430

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$3,547.44 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and for the payment thereof."

Which was read.

Also,

Bill No. 4431

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$6,957.50 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4432

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$14,566.36 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies, without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 4476 Report of the Committee on Public Works for December 12, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4347

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. Coyne, do you know off hand if they are going to discuss the fact that we are not getting adequate remuneration? We have been told in Council before that we are just not getting enough money back from the State for the work we do. We've heard that from the previous Director, repeatedly.

Mr. Coyne:

I'm sure all the Directors would like to have more money but this is a negotiable item that they have to negotiate with the State for.

Michelle Madoff:

But I understand we have been taking a bath, they are just not giving us adequate compensation.

Mr. Coyne:

Well, for a long time we didn't get anything, so I guess we feel that we are lucky to get something now, but I agree with you, I think we could stand to have more money.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	none
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And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 4477 Report of the Committee on Planning, Housing and Development for December 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4310

A Resolution entitled, "Resolution approving application for Preliminary Loan for Low-Rent Public Housing."

Which was read.

Also,

Bill No. 4351

A Resolution entitled, "Resolution providing for a cooperation agreement or agreements iwth the Borough of Greentree for improvements by the Borough of access roads to the Parkway Center Shopping Mall in connection with the City's Parkway Center UDAG Project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4352

A Resolution entitled, "Resolution amending Resolution No. 953 approved October 25, 1979, effective October 30, 1979, entitled

'Authorizing a Fourth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the conveyance of Public Properties, dedication of a public park, correction of map referenes, and updating of financial arrangements' by adding authorization to transfer certain Community Development Block Grant Funds to the Urban Redevelopment Authority of Pittsburgh for construction of a swimming pool and related appurtenances."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes	7	Noes	none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 4478 Report of the Committee on Parks and Recreation for December 12, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4361

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4362

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the repair of various facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4363

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in the amount not to exceed \$30,000."

Which was read.

Also,

Bill No. 4364

A Resolution entitled, "Resolution providing for a Supplemental Agreement with the Allegheny County Institution District amending the Agreement between the parties dated January 2, 1979, by extending the term of the Agreement to June 30, 1980."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Mdoff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Stone moved to excuse Mr. Robinson for absence from this meeting.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, December 10, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mrs. Masloff:

I move to adjourn this meeting and meet again next Monday, December 24, 1979 at 10:00 A.M.

Mr. Lally seconded the motion.

Which motion prevailed.

And Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXIII

Monday, December 24, 1979

No. 51

Municipal Record

ONE-HUNDRED TWENTIETH COUNCIL

EUGENE P. DePASQUALE President

MICHAEL A. PERRY City Clerk

WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, December 24, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

UNFINISHED BUSINESS

The Chair presented

Bill No. 4465

Resolution approving and confirming the appointment by the Mayor of William T. Coleman as a member of the Board of Code Review for a term to expire in January, 1984.

Which was read.

Also,

Bill No. 4467

Resolution approving and confirming the appointment by the Mayor of Sharon O'Neill as a member of the Board of Code Review for a term to expire in January, 1984.

Which was read.

Also,

Bill No. 4469

Resolution approving and confirming the appointment by the Mayor of James G. Sterling as a member of the Board of Code Review for a term to expire in January, 1984.

Which was read.

Mr. Stone moved for adoption.

Mr. Givens seconded the motion.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8

Noes none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

REPORTS OF COMMITTEES

Mr. Stone presented

No. 4479 Report of the Committee on Finance for December 19, 1979 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4388

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dick Enterprises, Inc., in the amount of One Hundred Fifty Thousand Sixty-One Dollars and Fifty-nine Cents (\$150,061.59) in payment for Emergency Work in connection with the Royal Street earth mass movement, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4407

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl Bonidie, Inc., in the amount of \$18,060.91, in payment for extra services furnished for the benefit of the City in connection with the Weatherization Program at the City-County Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 4408

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of D.R. Hamburg Associates, in the amount of \$5,225.00 in payment for extra services furnished for the benefit of the City in con-

nection with the design of No. 2 Police Station and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4409

A Resolution entitled, "Resolution transferring the total sum of \$3,000.00 from Code Account 1368, Salaries and Wages, Regular Employees to Code Account 1360-1, Premium Pay, Department of Lands and Buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

Mr. Stone:

I move that the effective date on Bill No. 4409 be December 24, 1979 so that the Department of Lands and Buildings can meet their payrolls.

Mr. Lally seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4415

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, Penna. 15236, in the amount of \$4,210.12 in payment of premium pay incurred during installation of a 36" x 12" tee connection at 11th Street and Liberty Avenue furnished for the benefit of the City in connection with City Controller Contract No. 23104-F."

Which was read.

Also,

Bill No. 4418

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$63,401.77 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4419

A Resolution entitled, "Resolution authorizing the Mayor to issue and the Controller to countersign a warrant in favor of Jurgen Schultz, Catskill, New York, in the amount of \$6,000. in payment for one pair of White-tailed Gnus, young adults, to be delivered to the Pittsburgh Zoo, to include all shipping and delivery charges, without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4449

A Resolution entitled, "Resolution providing for the issuance of a warrant to Harvey L. Mahone and Garland H. McAdoo, Jr., Counsel for Harvey L. Mahone, in the amount of \$2,000.00 in full settlement of a claim for damages resulting from his arrest on May 29, 1975."

Which was read.

Also,

Bill No. 4450

A Resolution entitled, "Resolution providing for the issuance of a warrant to Glenn R. Mahone and Garland H. McAdoo, Jr., Counsel for Glenn R. Mahone, in the amount of \$2,000.00 in full settlement of a claim for damages resulting from his arrest on May 29, 1975."

Which was read.

Also,

Bill No. 4451

A Resolution entitled, "Resolution providing for the issuance of a warrant to Claudette Jackson, individually and as parent and natural guardian of Lynlee Kip Jackson, a minor, care of Byrd R. Brown, Esquire, 1812 Grant Building, Pittsburgh, PA 15219 in the amount of \$1,833.34 in full settlement of claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4452

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the proposed Employee Assistance Program Project, funded under Intergovernmental Personnel Act funds (IPA); providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Employee Assistance Program Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 4453

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or

hearings and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4470

A Resolution entitled, "Resolution providing a residency exemption for certain employees of the Allegheny County Bureau of Criminal Identification who will become employees of the City of Pittsburgh effective January 1, 1980."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson

Mr. Givens	Mr. DePasquale
Mr. Lally	(Pres't)
Michelle Madoff	

Ayes 8 Noes 1

(MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4471

A Resolution entitled, "Resolution providing for the issuance of a warrant to Norfolk & Western Railway Company in the amount of \$3,500.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4472

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$1,425.69 to Martin Bradley Meyers in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of

Council in the affirmative, the bills passed finally.

Also,

Bill No. 4473

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Chapter 201, City Treasurer, by adding Section 201.10, Registration of Tenants."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 4480 Report of the Committee on Public Works for December 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4389

A Resolution entitled, "Resolution providing for a contract or contracts for Engineering and Architectural services for the Grant

Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 4390

A Resolution entitled, "Resolution providing for a contract or contracts for Engineering Services for the Inspection of various City Bridges (PW 79-09); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 4391

A Resolution entitled, "Resolution providing for a contract or contracts for the Wood Street Bridge Reconstruction (PW 79-17); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 4392

A Resolution entitled, "Resolution providing for a contract or contracts for the Demolition of the Pennsylvania Avenue Bridge; providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 4393

A Resolution entitled, "Resolution providing for a contract or contracts for repairs to the Stanton Avenue Retaining Wall (PW 78-22); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 4394

A Resolution entitled, "Resolution providing for a contract or contracts for the Construction of Saw Mill Run Sewer; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 4395

A Resolution entitled, "Resolution vacating Chateau Street from Ridge Avenue to a point 145.875 centerline feet southwardly therefrom and a portion of Bank Lane (Shore Avenue) between Chateau Street and Belmont Street in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 4481 Report of the Committee on Planning, Housing and Development for December 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4399

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Programs; providing for the execution of Grant Contracts and for the filing of other data; approving the 1980 Community Development Block Grant Program providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for payment of expenses within categories."

Which was read.

Mr. Givens:

I move to amend Bill No. 4399 by substituting pages four, five and six, my question, Mr. Perry, is does everyone have a copy of that?

Mr. Perry:

Yes.

Mr. Givens:

I think we just presented that, maybe if we could go over it a little bit to see if there are any strong objections to those amendments?

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, the Councilmembers have just received these amendments, Bob, can you explain this a little bit, on the Unspecified Local Options?

Mr. Stone:

What happened, they made them re-program them for the benefit of getting the proper figure for the Unspecified Local Option, that is what he has done.

Michelle Madoff:

Was anything of substance taken out?

Mr. Stone:

I don't understand your question.

Michelle Madoff:

Were there any major changes?

Mr. Stone:

Well, if you look on that sheet you will see exactly where the changes are. He apparently feels it won't move quite as quickly as we thought.

Mr. Givens:

Mr. Stone, if I might add, on the first page, Department of Public Works, PW 80-02, City Wide Resurfacing—the Mayor had proposed \$1.5 Million and we are cutting it down to \$555,000 and my question would be, I don't think it is the intent of Council that we would cut that resurfacing of City streets down by two-thirds, I would assume sometime during the years if the Mayor would request that money we would probably give it to him in Unspecified Local Option, would that be true?

Mr. Stone:

In all of these accounts, depending on the progress of them, and particularly as you have with the City Wide Resurfacing, the start up is your difference. This needs some additional programming, this is the best he could do at this time without hurting the program and that is where we came at this one. That figure for the ULO should even be higher than it is.

As I have indicated before, ULO turns around being a contingent fund, can be re-programmed back if you have to, it is a matter of under whose control the money lies at this particular point.

In addition, out of old funds there is close to a Million Dollars there.

Michelle Madoff:

On Department of City Planning, CP 80-06, Property Management and Maintenance Program, that is the three designated areas and the Bloomfield/Garfield area? There was a cut, somebody made—you did not make the cut, did you, Mr. Givens?

Mr. Givens:

No. These are recommendations made by the Finance Chairman to the full body.

Michelle Madoff:

Well, I'm just questioning that, how would that affect the Bloomfield/Garfield area?

Mr. Stone:

It doesn't.

Michelle Madoff:

What kind of dollars will be allocated to them?

Mr. Stone:

Well, let me just try this again on you if I may. We asked them to re-program so that the money would be in the proper position.

He did not reach the full quota of 10% which should be in Council's ULO fund. Any change that is here, it turns out to be either from the Director there as to who that money could be spared from at this time. If there is any change on that we still have the ULO monies to back those things if it be necessary.

Michelle Madoff:

So, in other words, there are other sources of funding, we don't have to panic about it?

Mr. Stone:

Correct.

Michelle Madoff:

Fine, thank you.

Mr. Bulls:

Mr. President, I would like to change something if I may—under City Council, Unspecified Local Options Funds, we have \$1,595,000.00, I would like to reduce that figure to \$1,500,000.00 and in Parks and Recreation, under PR15, put in Design and Engineering of the Larimer Avenue Recreation Center at \$95,000.00.

Mr. Stone:

Mr. Bulls, may I make a suggestion? May we get from this body, a vote of intent and we leave the rest of it? My reason for doing it is that it is all typed up and ready to go into the budget, and we will make the change from ULO in view of the point you are making for 1980 so that this thing need not go into any major changes which has already been typed up. Still carrying out the intent of your motion. Do you follow me?

Mr. Bulls:

Not really.

Mr. Stone:

That it is the intention of this body, that we know that in 1980, we will tap it for \$95,000.00 and place it into that account rather than change all the typed work that is already done today, is that clear?

Mr. Givens:

Let it be recognized that Councilman Bulls so put this in, so that when—

Mr. Stone:

That is the point I am making, so let us have a vote on that particular point and change it in 1980.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

Bill No. 4400

A Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant or consultants to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof from CP 1978-05 CDBG Citizen Participation and CP 1979-02 CDBG Citizen Participation and Information."

Which was read.

Also,

Bill No. 4401

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ebenezer Development Corporation for the sale of Parcels 60B, 60C, and 62 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 4402

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David J. Gamble for the sale of Parcels 114B and 114C in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4403

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jennifer Jones for the sale of Parcel 117 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4404

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James Bailey for the sale of Parcel 209 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 4482 Report of the Committee on Supplies for December 19, 1979 transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 4433

A Resolution entitled, "Resolution repealing Ordinance No. 440, approved August 20, 1975, entitled, 'providing for an Agreement with the Bell Telephone Company of Pennsylvania for the conversion of the existing telephone service for government offices of the City of Pittsburgh, excluding emergency police and fire telephone service, to Centrex Service, in accordance with the local general tariff of the company, and providing for the payment thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 4483 Report of the Committee on Water for December 19, 1979 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4417

A Resolution entitled, "Resolution authorizing the Director of the Department of Water to grant the application of William R. Grove, Jr., 120 Oak Park Place, Pittsburgh, Penna 15243, for water supply outside the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 4484 Report of the Committee on Parks and Recreation for December 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4420

A Resolution entitled, "Resolution amending Resolution No. 49, effective January 1, 1977, entitled 'Amending Resolution No. 716, effective October 1, 1976 entitled, 'Authorizing the letting of a contract or contracts for the rehabilitation of the South Side Market House, 17th Ward, in the Department of Parks and Recreation and providing for the

payment of the cost thereof' by increasing the authorization from \$380,000.00 to \$420,000.00; by reducing the authorization to \$412,523.00."

Which was read.

Also,

Bill No. 4421

A Resolution entitled, "Resolution providing for an agreement or agreements with engineers or surveyors for professional services in connection with the design of Langley High School Field lights and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4422

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of tennis courts at various parks and playgrounds and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4423

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4424

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4425

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4426

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Marmaduke Playground and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 4427

A Resolution entitled, "Resolution providing for a contract or contracts for landscaping improvements at various parks and playgrounds and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4428

A Resolution entitled, "Resolution repealing Resolution No. 303, effective May 19, 1976, entitled, 'Authorizing the Mayor and the Directors of the Department of Lands and Buildings and Parks and Recreation, on behalf of the City of Pittsburgh to enter into a lease agreement with Beechview United Presbyterian Church, on 1621 Broadway Avenue in the 19th Ward, Pittsburgh, the basement of the church, for a term of three (3) years, at a rental of Two Hundred Dollars (\$200.00) per month, commencing May 1, 1976, for use as a Senior Citizens Lounge, payable from Community Development Block Grant Funds.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lally presented

No. 4485 Report of the Committee on Lands and Buildings for December 19, 1979 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4410

A Resolution entitled, "Resolution providing for an Agreement or Agreements with L.D. Astorino & Associates, Architect, for professional services in connection with the design and installation of art work at No. 22 Engine Company, Arlington Avenue; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4411

A Resolution entitled, "Resolution providing for the leasing from Buncher Management Agency, Inc., Post Office Box 163, Youngwood, PA 15697, for a parcel of land containing approximately 479,800 square feet or 11.01 acres, in the 6th Ward of the City of Pittsburgh, for a term of one year beginning January 1, 1980, at an annual rental of \$69,280.00, payable quarterly at a rate of \$17,320.00 upon certain terms and conditions; and providing for the payment of the same."

Which was read.

Michelle Madoff:

On Bill No. 4411, I believe this was discussed Wednesday morning, is that correct?

Mr. Lally:

This was discussed last week, yes, Michelle.

Michelle Madoff:

I was not here on Wednesday morning, my child had some surgery, I would like clarification on this, I'm sorry, I've been busy and I didn't look at this closely. Bill No. 4411 is the purchase of the Old Post Office? Is that correct? Could somebody tell me that?

Mr. Lally:

No, its not.

Michelle Madoff:

Is this the Old Post Office parking lot? Where the Post Office used to park its trucks?

The Chair:

This is an address.

Mr. Lally:

Its a parcel of land that we have been renting in the 6th Ward used for our trucks and also for part of the pound.

Michelle Madoff:

Alright, this is not the new parking spot to replace the — where we put the refuse trucks, etc. Okay, no problem.

Mr. Lally:

Michelle, you were here —

Michelle Madoff:

I thought it was the other piece of property.

Mr. Lally:

Okay, but you were here and you heard this being read last Wednesday, in fact, "Jeep" and I remarked that you did not say anything about it, we had expected you to remark.

Michelle Madoff:

I wasn't here Wednesday morning?

Mr. Lally:

Well, when this bill was read, okay?

Michelle Madoff:

Or was it last Wednesday?

Mr. Lally:

Well, whatever day it was read.

Michelle Madoff:

I just want to be sure — that it is the existing facility where the pound is, is that correct?

Mr. Lally:

I just told you that as far as I know, that is what it is.

Michelle Madoff:

Well, as far as you know, because if this is the piece of property that we are dickering to purchase, which is from Buncher, which is the existing — we were dickering, I understand, to purchase, not rent, an —

Mr. Lally:

It is only for a one year rental, this is what this is. If you would read the bill—it is a one year rental Michelle.

Michelle Madoff:

Do you happen to know, Mr. Stone if that is the same piece of land?

Mr. Stone:

As I read the bill, it says we are leasing a piece of property for a year for an auto pound.

Michelle Madoff:

Fine, I'll vote for it then.

Also,

Bill No. 4412

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No, 4413

Resolution repealing Resolution 712 approved June 19, 1978 for the sale of a 2 story brick house and store on 553 Brushton Avenue and Tioga Street, Block 175-C, Lot 63 to James D. Dyer. Purchaser has failed to comply with agreement of sale. Hand money of \$850.00 is to be forfeited.

Which was read.

Also,

Bill No. 4414

Resolution repealing Resolution 144, approved February 26, 1979 for the sale of property in the 3rd Ward on 1729 Our Way, 3 story brick house, Block 11-E, Lot 65-A, to Gwendolyn Hurt-Howze for \$1,400.00 due to a death and financial difficulty requests sale cancelled and hand money of \$200.00 to be returned.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9

Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I just want to make a comment on my

concern about that bill. The City, as you know, has been looking for some time to find a permanent place for our garage. We are currently renting from Berger Company. It has come to my attention that the City is looking at a piece of property that was formerly the parking space for the Post Office. I would be diametrically opposed to renting the property, and then when the parties who are renting it to us decide they want it back, we are just out the dollars that could be used for permanent purchase. You know, this location generally falls into somewhat the area of the new Civic Arena, into the area of development that is going to go on in the Strip District.

Also, I would like to point out that the Schiffler Plant, which was to be closed - I don't think there has been a decision on that, has there, Mr. Lally?

Mr. Lally:

Not to my Knowledge, Michelle.

Michelle Madoff:

That piece of property, if history repeats itself, generally when a plant leaves, they will be very generous in selling that property to a City, and that is another piece of property we ought to be looking at. I would be opposed to renting and then not having the benefit of the inflation as the land increases in value and losing that hedge.

The Chair:

Thank you.

Mr. Stone:

I move that the effective date of all the bills read today, be December 31, 1979.

Mr. Lally seconded the motion.

Which motion prevailed.

Mr. Lally moved to approve the minutes of Monday, December 17, 1979.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Stone:

Mr. President, if I may, I move to recess this meeting and reconvene on Thursday, December 27, 1979 immediately following the Committee meeting scheduled for 10:00 A.M. on that date.

Mr. Lally seconded the motion.

(MICHELLE MADOFF ABSTAINING.)

Which motion prevailed.

Mr. Stone:

Relative to budget, we are waiting for a final run-off on the computer, we should have that here by 11:30 and at 11:30, we will pick up the matter of revenues and final taxation at 11:30 this morning.

Council recessed.

Pittsburgh, Pa.

Thursday, December 27, 1979

And the hour of 10:00 A.M., having arrived and the time of recess having expired, Council reconvened and there were present:

Mr. Coyne	ABSENT:
Mr. Lally	
Michelle Madoff	Mr. Bulls
Mrs. Masloff	Mr. Givens
Mr. Robinson	
Mr. Stone	
Mr. DePasquale	
(Pres't)	

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

There being no papers before us, I will entertain a motion to excuse the absent members and recess until Friday, December

28, 1979 immediately following our Finance Meeting scheduled for 10:00 A.M.

Mr. Stone moved to excuse Mr. Bulls and Mr. Givens for absence from this meeting.

Mr. Lally seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council recessed.

Pittsburgh, Pa.
Friday, December 28, 1979

And the hour of 10:00 A.M., having arrived and the time of recess having expired, Council reconvened and there were present:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

REPORT OF COMMITTEE

Mr. Stone presented

No. 4486 Report of the Committee on Finance for December 28, 1979 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4275

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article XI, Property Taxes, Chapter 263,

Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by enacting the annual levy on real estate and establishing rates of tax for lands and buildings."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mr. Stone
Mr. Coyne	Mr. DePasquale
Mr. Givens	(Pres't)
Mr. Robinson	

Ayes	6	Noes	2
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(MR. LALLY AND MRS. MASLOFF
VOTING NO.)

Abstaining 1

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4278

An Ordinance entitled: "An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rate, Charges and Uses, Chapter 331, Usage Rates, and Section 331.03, Unmetered Water Rates, by deleting Section 331.03."

Which was read.

Also,

Bill No. 4279

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Three, Water, Article V, Rates, Charges and Uses, by adding Chapter 332, Unmetered Water Rates.

Which was read.

Also,

Bill No. 4287

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1980.

Which was read.

Also,

Bill No. 4288

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh, and the rate of compensation thereof."

Which was read.

Also,

Bill No. 4289

A Resolution entitled, "Resolution adopting the 1980 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds."

Which was read.

The Chair:

I would like to call Mr. Stone to the podium for his budget message. Mr. Stone.

Mr. Stone:

BUDGET MESSAGE OF THE FINANCE CHAIRMAN

City Council — City of Pittsburgh

Last year at this time, I called the City's budget "The Band-Aid Budget." The 1979 budget deserved that label because it was a fiscal blueprint patched together for another year: a document that addressed only short term problems, one that didn't speak to the long term needs and resources of the City.

We still, one year later, have a Band-Aid Budget. We've made some progress, but plenty of our ills are still with us. For example, our regular tax operating budget is still subsidized by \$11.6 million of Federal Revenue Sharing, and our manpower is set at a minimum level. Therefore, if we were to lose federal revenue sharing funds today, there would be only one way to maintain essential minimum services, and that is with an immediate and sizeable tax increase to the citizens of the City of Pittsburgh.

Furthermore, our budget continues to be additionally subsidized by CETA (Comprehensive Employment and Training Act) and also through Capital and Community Development Block Grant Budgets, as well as some less popularly known federal and state subsidies.

We bring this out, so that all will understand that under our present financial structure — We are still sitting on a fiscal "time bomb."

The tax base of this City needs to be redesigned. This City should not look for others to pay its bills, but this City must not be alone, be saddled with the responsibility of carrying more than its share or more than its fair responsibility.

Let me say at the outset that we do not advocate, nor do we even suggest, a fiscal war between the City and the surrounding communities. In fact, we are so inextricably inter-connected that Pittsburgh could not afford a fiscal loss by neighboring communities or even counties.

But neither could this area afford a weakened Pittsburgh, because Pittsburgh is the linchpin holding together a tightly interwoven group of communities, governments, and industries. Loosen the linchpin and we endanger the welfare of all of Southwestern Pennsylvania.

Therefore, we must in the Eighties look for a new fiscal partnership within and without of the City.

We strongly recommend a request for a more equitable tax base from the Legislature of the Commonwealth of Pennsylvania.

Regrettably, the Legislature in 1979 was preoccupied with their own budgetary problems, and Legislators having difficulties "helping themselves" had little or no time, or even desire, to consider the problems of the inner city.

Council, in its budget deliberations, has indicated that this request is not the sole and separate responsibility of the Mayor, nor of this Council, but rather the combined responsibility of the Mayor, this Council, business, labor, Pittsburgh area citizens, and governmental officials on all levels regardless of political affiliation.

We therefore stand ready, willing, and able to work with the Mayor and everyone else - to have the Legislature of the Commonwealth of Pennsylvania act in the needs of the City - to remove the overburden it now carries.

Let us now talk more specifically about the 1980 tax operating budget for the City of Pittsburgh.

It should be emphasized at the outset that this Council did not cut any service or program contained in the Mayor's budget proposal.

The Mayor presented this Council with his budget message, which was prepared in November of 1979. That Budget had a \$19.6 million deficit; and the difference was to be funded by the following:

1. A 1% Wage Tax increase,
2. A 1 mill Business Privilege Tax increase,
3. An increase of 10 mill across the board on Metered Water Rates.

Since the Mayor, in his budget proposal, proposed a \$20 million deficit, making a combined deficit over the past two years of \$40

million, this Council was duty bound to review the budget -- as well as, if not better than in 1979.

Council did review the Mayor's 1980 budget proposals, and did so through two stages of review, in order to more accurately arrive at true needs, problems, and goals of the City of Pittsburgh.

Council began, in the usual fashion, to pare the Mayor's budget proposals and cut \$1 million from his appropriations. Again, I repeat, this Council did so without cutting any service or program that was contained in the Mayor's proposed budget.

Council delayed analysis until the last moment possible, so that we could actually see what revenues were received, what actual expenditures were made, and what encumbrances were made, rather than project every and all items. These projections have in the past resulted in more taxation than is really necessary.

Our delay in analysis resulted in a few interesting findings.

For example, a closer look at the "surplus" now shows that instead of a projected 2.3 million surplus as projected by the Mayor in November of 1979, we, in December of 1979, can foresee a budget surplus of 6.3 million - an increase of \$4 million additional unexpended funds. In short, we will not need to tax for this additional \$4 million.

Since the Mayor presented his budget, the result of the court assessment litigation has been received, adding an additional \$2 million to our 1980 revenues, without the need of any tax increase beyond the 1979 tax levels on real estate.

We have also received word that a minimum of \$1.3 million can be expected in the year of 1980, as a result of reimbursement for Capital Projects.

In addition, this Council has further reviewed in depth the revenue projections, and based upon the monies actually received in 1979, we re-estimated the 1980 revenue projections. We increased these figures, resulting in the lack of need to further tax

our citizens by an additional \$3 million.

In the 1980 tax budget, this Council made some additional changes:

1. Police and Fire and Municipal Retirees

These individuals have given their full and productive lives to the City of Pittsburgh. They had little or no pension in the olden days, and no early social security options. Even with the introduction of social security, social security opportunities were either not available for them, or these options were not made in such fashion to permit an intelligent selection by employees. As a result, the larger portion of these employees still gets less money than the minimum standards set by the Department of Public Assistance.

The Mayor, in his proposal, gave a \$25.00 per month increase for the police and fire retirees, but no increase for the municipal retirees.

Council approved the \$25.00 per month increase for the police and fire retirees, and in addition, included a \$25.00 per month increase for the municipal retirees. Last year, the municipal retirees as well as the police and fire retirees had asked for a pension increase.

Our fiscal condition did not permit an increase.

This year, however, our fiscal condition, while still not the best, is not as severe as it was in 1979, and it does permit an increase to these retirees who are on fixed incomes, at least to assist them in tending to their medical insurance protection so that their status in life is no further aggravated than it is presently.

2. Grants and Donations

In this area, Council did, in a prudent way, fund certain worthy and essential organizations.

A further review of those changes can be found in our budget.

3. Police and Manpower

Council continues to remain steadfast in its belief that additional police manpower is essential and necessary to the well-being of the City of Pittsburgh.

Council, with the affirmative vote of the present Mayor, then a Councilman, set a minimum level of police manpower.

Council has in the past provided funding for the additional police officers, but the Mayors, then and now, have refused to fill those mandated vacant positions, in spite of constant requests, almost daily, from our neighborhoods requesting additional police protection.

The Mayor has indicated that he shall maintain a force of 1,400 police officers - 100 less than that mandated by this Council to meet the City's ever increasing needs.

Council strongly urges the Mayor of the City of Pittsburgh to reconsider his position on the minimum level of police manpower, and to increase the force, by providing additional beat policemen, so vital to the interest of our communities. If he does so, Council stands ready, willing, and able to provide that additional funding.

4. The Use of Federal Funds Through CETA Waivers

In August of 1979, the Mayor, through the Civil Service Department, did request of the federal government to extend a waiver for employees under the CETA Program.

That waiver was granted. During the period of Council's deliberations, Council discovered that there was a possibility of \$1.8 million in CETA employee waivers that might be used in the 1980 tax operating budget.

It is regrettable that the Civil Service Department did not see fit either to inform the department heads or the Mayor of the availability of those funds, in order to lessen the tax burden on our citizens in 1980; or, if they were so informed, that they did not avail themselves of the use of this money in the best interest of the citizens.

Nevertheless, at the insistence of this Council, there was a re-adjustment, and a use made, of those federal funds under waiver, with a \$700,000.00 benefit inuring to the citizens of the City of Pittsburgh, in that \$700,000.00 will not need to be funded in 1979.

5. Vacancies in Positions

Council has been increasingly disturbed by the failure of department heads themselves, or due to Civil Service "red tape" or delays, or policy decisions, to fill mandated vacancy positions and for which citizens were taxed.

It is wrong to tax the citizens of the City of Pittsburgh for vacant positions in order to engage in the "false surplus game."

In this budget for 1980, the Council will monitor this matter as never before.

From here on in, at the end of each pay period, each director will be required to make a report to City Council of any and all unspent funds in wages or salaries, and to transfer on the day of pay all such unspent funds from the wage and salary accounts, to City Council's Code Account 42-2.

6. Unspent Funds of Departments

Council in the past six years has been monitoring departments who repeatedly request monies and positions.

Based upon those representations, Council had taxed for those needs, only to find that those departments have not filled the vacancies, or have used their account to transfer funds to other departments. In short, they did not spend the money for services as intended.

No department in the City of Pittsburgh today is more glaring and abusive in this connection than is the Parks and Recreation Department.

In the past six years this Department ended a year with the following unencumbered balances:

1974	\$1,517,239
1975	727,551

1976	890,000
1977	525,000
1978	771,000
1979	614,784

(the Director's estimate)

In the 1978 budget, this Council cut \$275,000.00 from that Department's appropriations, and still that Department ended the year with unspent funds of \$¾ million.

Last year, in the 1979 budget, this Council cut \$351,000.00 from the budget needs of that Department again. In spite of the Director's early complaints that "Council cut that Department too severely," that Department, nevertheless, at the end of the year has unexpended funds of \$615,000.00. This has been the 6th consecutive year of such a "surplus."

But more importantly, in the last six years, this Department requested and this Council in reliance upon those representations, did tax and provide the tax monies for those needs.

All in all, the citizens of the City of Pittsburgh were taxed 5.045 million, based on those representations, and their reward was that this Department denied - to the citizens - \$5.045 million in service. NOTE: \$5 million could have provided forty-two (42) additional policemen in all of the last six years, even at 1980 wage rates, and this does not include the \$624,000.00 in 1978 and 1979 that Council cut out from the Department Head's original request.

During our deliberations this year, as last year, that Department Head was directed to cut the budget for that Department.

City Council enforced that cut by \$501,643.00.

A more in-depth review of this Department will likewise show a minimum level of performance in capital and community development projects.

In the 1981 budget, any job that this Department fails to fill in 1980, will be removed from the 1981 budget.

7. The Supplies Department

Council thought long and hard about adding an additional 22 employees to the Supply Department.

At first, Council was so disposed to remove all new positions from the request in 1980.

Council recognized that this Department has been severely hampered both in manpower and ability and leadership in the past.

The problems of this Department have been grave and have caused grave consequential effects, even on other departments.

The present proposal involving the increase of manpower and a performance audit ordered by Council was studied by COM-PEP (Committee for Progress and Efficiency in Pittsburgh), and found to be essential.

This Council, therefore, in an effort to seek some final solution to the ills of that particular Department, did, in 1980, fund all but one of those positions. Nevertheless, this Department's performance will be closely monitored.

We expect and hope that a substantial improvement will be made.

To summarize, after all of the changes made by Council, the Mayor's projected deficit, \$19.6 million, made in November 1979, has been reduced to \$10 million.

This Council was then faced with the responsibility and task of providing funds for the mandated appropriations.

While the Mayor proposed other tax increases for 1980, Council considered only two, the Wage Tax and the Land Tax, as the most suitable. The other tax increases seemed regressive and more burdensome to the community.

Let's look at Wage and Land Taxes.

It has long been the norm to tax the person most able to pay -- the wage earner.

But let us consider the plight of the Pittsburgh wage earner in 1980. It would be an

understatement to say he is already overburdened. Already he has the following taxes:

1.25%	City Wage Tax
1.00%	Pgh School District Tax
2.2%	State Tax
6.13%	Social Security Contribution

Pittsburgh's present 2.25% Wage Taxes (City and School) are higher than the wage taxes of surrounding communities. If the additional 1% , proposed by an additional Wage Tax increase, added to a City resident, that would be 3¼% (\$325.00 for a person earning \$10,000.00).

That is just too much; but note we haven't even taken into consideration the Federal Income Tax -- and we all know how high that is.

Remember that the Pittsburgh City wage earner is the most mobile person in our City; and if his already overburdened wages are burdened further by an additional Wage Tax increase, aside from being ready, willing and able to leave -- he will be forced to leave.

The City of Pittsburgh must, for its own financial future, keep the wage earner in the City. Pittsburgh today does not have enough wage earners to help carry the load for others, less fortunate and less able. How then could we fare in the future with a smaller number of wage earners and with an increasing number of those, less able to carry their load. The wrong decision today would hurt this City more tomorrow!

The Land Tax offers the City of Pittsburgh the best alternative, and many advantages.

The Land Tax in Pittsburgh is a so-called graded tax - which means that land assessments have been traditionally lower than building assessments, and tax increases on land have been minimal. Therein lies an advantage, making a land tax increase less severe than is apparent on its face.

Our present Land Tax is 97½ mills, and the proposed increase is 28 mills, for a total of 125½ mills. That 125½ mills tax on land, in

a graded tax system, when combined with our millage on buildings, and using a formula that can be comparable to the tax structure of our neighboring communities, is less than 31 mills overall.

What this all means is that with regard to the tax on real estate, people owning real estate in the City of Pittsburgh still, on the whole, pay less than people owning real estate in the surrounding municipalities.

Under the Wage Tax, only the City wage earner pays. Non-City residents working in Pittsburgh, and getting the same pay as resident workers, do not pay one cent in Wage Tax to the City of Pittsburgh.

Under the Pittsburgh Land Tax, 80% of this tax will be paid by commercial land owners, among whom are many non-City resident landowners who receive services equal to a City resident. Under our present tax structure, however, with the exception of real estate taxes, we can't tax non-residents for services provided by the City. An increased Land Tax is one way to get non-resident landowners to pay some share of their fair share. This is a definite plus!

Council does not want to leave the impression that we are not mindful of the plight of the landowner, whether a City resident or not.

For example, the non-City resident, commercial landowner, will not receive any additional tax increase in his amusement, business privilege, or water tax.

Most of our City resident landowners have a land assessment of between \$500.00 and \$1,500.00. With a 28 mill Land Tax increase, they would be paying between \$14 to \$42 per year increase. But, in addition, we have not increased millage on the building, nor tax on building improvements (under our residential abatement program); nor will there be a tax on the increased market values, which have doubled, at a minimum.

Many people, unfamiliar with the graded Land Tax, unknowingly say it will hurt our elderly and poor people on fixed incomes.

Nothing can be further from the truth!

While it is true that there will be a tax on the land of an elderly person, it is also a fact that elderly persons with incomes of less than \$9,000.00 per year can obtain a rebate of up to \$400 per year. In addition to this, the Governor of Pennsylvania just announced a new subsidy to our elderly, one covering utility costs.

Regrettably, our elderly are not informed nor assisted in obtaining this rebate. This information will be included in future City bills.

Lastly, there is a benefit to the City that is taken too lightly. An increase of Land Tax will encourage a more productive use of our City lands in the future, especially the large tracts of heretofore vacant parcels.

The big question facing Council in its budget deliberations was this: Should Council tax a City wage earner already overburdened more than any neighboring community wage earner - by an additional Wage Tax increase of 1% ? - or should Council impose a \$24.00 per year Land Tax increase?

Being fiscally responsible and fair to all, Council had really no other alternative but the Land Tax increase.

With the reduction of the deficit, even the Land Tax increase proposed will not be too severe.

In addition to meeting the short-term requirements of passing a budget and a tax package, Council again this year is also taking additional steps to alleviate the taxpayer's plight.

Legislation was introduced and approved requiring landlords to report the names and addresses of all their tenants, and the number of their dependents, to the City Treasurer. Surprising as it may seem, there appears to be many people living in the City who are still unaware of their tax obligations to the City. This legislation was designed to remind them of their obligation and to save them from the greater liability of paying back taxes plus penalty plus interest when later discovered.

The goal of this legislation is to get

everyone to pay his or her taxes, the end result again being additional revenue without more taxes.

Last year, this Council began to look at the City's inventory. The City's inventory program is still slipshod and loose. It is extremely difficult, at times impossible, to know what kind of, and how much, material, furniture, equipment, and other items are on hand. Frequently, we buy things when there is no need to because an existing supply is already available. Or Directors will increase "inventory" to reduce cash available, further complicating accountability.

Requiring all department heads to file periodic inventory reports was our goal last year, but "more teeth" and more monitoring will be instituted in 1980 in our inventory program.

Hopefully, these additional legislative efforts in determining more accurate inventories will save more money for the residents of the City of Pittsburgh.

Furthermore, some additional bookkeeping practices have already started and will be fully operative by January 1, 1980.

Relative to our Capital Budget and our Community Development Block Grant Budget -- a new computerized financial management audit system -- is being instituted.

This system will free up available cash for projects ready for construction -- and thereby reduce the necessity to incur additional debt in borrowing -- and not increase the City's debted obligation any more than is absolutely necessary.

This Council can but offer a word of advice to the Administration and to the department heads. With or without a system, performance - completing projects that were promised and completing them on time - is really the best system!

This financial management system is a major step for the City of Pittsburgh.

In addition, this Council has provided ad-

ditional funding for the City Controller's Office -- for a similar financial management audit system -- for our regular tax operating budget.

These overall computerized financial management information and audit systems are long overdue, and while there are some substantial "start-up" expenses, in the long run, the City will gain immeasurably.

Finally, as Finance Chairman, I would again like to make some personal comments. I have again labeled this year's budget a "Band-Aid Budget" for the same reasons as last year -- it has been patched together again for another year. It addresses only short-term problems; it does not speak to the long-term needs and resources of this City.

We -- all of us -- should begin to look at these problems of the future with even more vigor.

I hereby recommend that the City Council of the City of Pittsburgh adopt the tax operating budget, and I strongly urge the Mayor of the City of Pittsburgh to accept our recommendations and revisions, and to approve the 1980 budget.

Respectfully submitted,

December 28, 1979

ROBERT RADE STONE
Finance Chairman

While I am at the podium and before I leave here, in fairness to many, as Finance Chairman, permit me to publicly acknowledge and thank the following persons: first our budget staff of Robert Rush and John Buckley and a special thanks to Mr. Buckley for that extra effort this year. To our Capital Budget staff of Eddie Albert and Frank Martin for keeping our Capital Budget and our Community Development Budgets in line and moving. To our City Clerk staff, Mike Perry, Bill McCray and staff who have been keeping our meetings timely and all along have lessened our load. To our corps of secretaries and typists and at its head, Anna Marie Lozer, for good ser-

vices throughout. To Barbara Ballo and staff of our City's Computer Center for her patience, understanding, cooperation and excellent services. To our printing department under Bob Murphy who each year is always cooperative and who always performs well even under the most trying time constraints. Last but not least, to each and every Councilperson who by your participation, support and input, have contributed to shaping the City's future in 1980.

It has been an exceptional, long and tedious budget deliberation period. We sincerely hope that our efforts are within the best interests of our citizens in the City of Pittsburgh—someplace special to us all.

The Chair:

Bob, I know Council would certainly like to add their congratulations and thanks to you and all of the staff and people that you mentioned in compiling this budget, you did a great job and I think we will all agree to that.

Ladies and gentlemen we have one chore left and that is to vote the taxes in that were proposed by our Finance Chairman.

Mr. Stone:

Mr. President, if I may, just a couple of comments—first I would like to re-institute the comment that Mr. Givens made so that it is done here at this final legislative meeting, that be incorporated in the budget is the mandated police manpower that City Council had approved which we just discussed at the Committee meeting. I would like that formatively covered at this point. It should have been in already, but if it is not, it has to be included.

Mr. Givens:

I make that in the form of a motion Mr. President.

Mr. Stone seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

Mr. Stone:

Mr. President, I move to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Lally seconded the motion.

Which motion prevailed.

Michelle Madoff:

Before we take a final vote on the budget, I would just like to quickly explain why I am abstaining, once more, why I am abstaining from voting on the budget, it is one thing to lay the responsibility on the Administration's doorstep, and I think a lot of responsibility has to be laid there and I would also like to say that I think the job that particularly Mr. Stone and Mr. Coyne did in cutting the budget from \$20 Million to \$10 Million is very laudable.

On the other hand, we as Councilmembers have shirked our responsibility in many areas. When was the last time this Council had a planning session? When was the last time we caucused and reviewed the Controller's statement to say, we've got 10 months left, nine months left? What are we going to do to raise the money that we know we are going to have every year just from the inflation and just from the need to meet the commitments of the City in negotiations and the cost of living increase? I suggest we have never done so.

The Chair:

If I can interrupt you for one second, our ability to caucus—

Michelle Madoff:

No you cannot sir, I would like to finish—

The Chair:

...has been prevented because of the Sunshine Act and you know that, but go ahead.

Michelle Madoff:

Why couldn't we have the meeting we

had in the back room then, sir, open to the public—there was nothing said in that back room that couldn't have been handled right here in this room—if you want to address the Sunshine Act. But what I am talking about is that there are between four eight and twenty million dollars sitting just idle in City owned properties. This Council supported a resolution, an ordinance, that we would actively, aggressively market that property—

The Chair:

Worthless hillside property and you know it, but go ahead.

Michelle Madoff:

...and the Mayor, as Administrator, has not done anything to push that along. On the other hand, Council, when Mr. Harold West came to this Council month after month and I said, "Mr. West, when are you going to move aggressively on this?" He said, "When I'm ready." And I didn't hear one member of Council back me and say, "Mr. West, that is money the taxpayers will not have to raise out of their pockets next year."

When I suggested we raise the money for the Zoo, the Aviary and the Conservatory, so that non-City residents pay more money, every obstacle in the world was thrown in my path. We didn't even look at it. We didn't even look at it. I'm not saying I know all of the answers, but I sure know some of the questions.

And what about paramedic service that would be paid by third party people, which was a federally funded program? Where did Council move on that? Only because Mr. Bulls and I introduced a resolution last year so that non-City residents would pay, and a very successful program I might add, was something done in that area. And the reason I am abstaining from voting on this budget is that we have had no leadership in this Council. We have never had a meeting and I propose that next year we'd better damn well start having some because we are going to have a tax increase next year and we'd better address it starting, I presume, January 8th.

Mr. Coyne:

Mr. President, I would like to respond to some of the comments that were made throughout the last half hour, to say that for the last week and a half we have appropriated approximately \$180 Million in budgetary spending for the year 1980 and it would seem incumbent on all members of Council, not just six or seven, to have to vote for the funds to pay for the appropriations that we very readily sat here and voted for in the way of spending appropriations for 1980. I would like to see the members of Council who now have been unable to get their tax program through this budget, to vote for taxes that will fund the necessary services to provide the City of Pittsburgh in 1980. Thank you.

Mr. Givens:

I would just like to make one comment in regards to Councilman Stone's remarks, and that is, how can this City work with local government, County government and State government, even Federal government to help the tax burden within the City of Pittsburgh. In travels around the country, one will find that the tax that is most used by other states is the sales tax. Otherwise, the sales tax in the State of Pennsylvania is 6%, each of the municipalities will then—State government would receive 1% of that sales tax. That is the best type of revenue sharing that I have seen anyplace in the country and I would hope that this Council would advocate such a sharing of that tax that the State government does, likewise, we have that in our Liquid Fuel Tax and the monies we receive from our gasoline is given back to the City so we can use it for resurfacing of our roads.

The Chair:

To that effect Mr. Givens, I took the liberty of calling Legislator Irvis and asking him to set up a meeting with the Allegheny County Legislators and City Council as close to the convening of the new Council which will be January 7th.

Mr. Lally:

Mr. President, I thought there was a bill

to that effect in the legislature sponsored by Senator Scanlon last year?

The Chair:

They were talking about it as they were talking about the graduated head tax Jim, but they didn't do anything about it.

Mr. Givens:

No, he was talking about a sales tax, but it was for Allegheny County, and this again, it has to be state-wide, it cannot be County-wide or people are going to be—

The Chair:

No, Jim stated that they were talking about it and Scanlon had introduced a bill, but they did nothing on it.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
	(Pres't)

Ayes 8 **Noes** none
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Stone:

Mr. President, if I may, in accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date of all bills passed today shall be January 1, 1980.

Mr. Givens seconded the motion.

Which motion prevailed.

And on motion of Mr. Givens

Council adjourned.

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ONE-HUNDRED TWENTIETH COUNCIL

SPECIAL MEETING OF COUNCIL

EUGENE P. DePASQUALE President
MICHAEL A. PERRY City Clerk
WILLIAM F. McCRAE Ass't City Clerk

Pittsburgh, Pa.
Monday, December 31, 1979

PRESENT:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair presented

Bill No. 4487

December 29, 1979

President and Members of Council
510 City-County Building
Pittsburgh, Pa. 15219

Re: Bill No. 4275 of 1979
Bill No. 4287 of 1979

Dear President and Members:

I am returning Bill No. 4275 of 1979, levying an additional 28 mills on land assessments with my veto.

After a thorough review of the Appropriation Resolution and despite the fact that I have serious questions concerning certain revenue proportions used to balance the 1980 operating budget, I have decided to allow the budget to become law without my signature.

The Administration and Council have spent over six months preparing the spending plan and it is clear that the legislation passed represents our consensus on what is needed to keep Pittsburgh a strong city. Due to the use of certain revenues, however, none of us can assume that each appropriation has been fully funded and spending in 1980 will have to be tied to actual receipts and not simply to appropriations.

In addition to the estimating errors outlined below I still believe that Pittsburgh should not place its entire tax burden on one taxpayer—the landowner—year after year. The type of revenue package I suggested in November—a combination of the wage tax paid by all of those who are employed and have a known source of income, water rents paid by all users including tax exempt institutions and major employers and the business privilege tax paid by entities that use Pittsburgh as a base for the delivery of service to the region—is not only more equitable but is the only form of progressive taxation available to us.

Beyond simple equity and spreading the

burden to our regional users, the revenue package I presented was designed not to further burden our senior citizens through increased property taxes. Figures prepared at Council's request indicate that, based on average residential assessments, our senior citizens at the lowest income levels would now pay \$95.00 per year in additional taxes based on Council's action in raising property taxes over the last two years. While it is true that the state offers a rebate program, it is limited to a \$400 maximum pay out per taxpayer and Council's figures indicate that the average property tax cost would now be \$590 or \$190 more than the maximum rebate allowed. Therefore, the full amount of the property tax increase adopted by City Council would be borne by our senior citizens without benefit of a rebate. The fact is that the burden is being placed on those least able to pay and I oppose it.

While the form of taxation is a legitimate subject for debate and perhaps a basic policy disagreement between Council and myself, I believe that revenue should be projected accurately and realistically. Council has chosen to ignore the best advice available from the Treasurer and project revenues at the most extreme levels and, in some cases, beyond what one could reasonably expect.

For example, Council's estimate of interest earnings is \$1.2 million higher than the Treasurer's and, apparently, assumes interest rates as high in all of 1980 as they are today. That assumption is not shared in the financial community. Council has also increased the estimate on Deed transfer Taxes by \$360,000 projecting a real estate market as active in all of 1980 as it was in 1979. Again, the best advice available is that there will be a slowdown in transactions for at least early 1980—a prediction which is borne out by the decrease in December, 1979 revenues as compared to December collections from last year.

Prior year revenues for real estate, sewage, water and amusement taxes were increased a total of \$500,000 above the Treasurer's estimates. This was done with the knowledge that in each of these cases 1979 collections were higher than usual due to special one time collections produced by a major liening effort which cannot be

repeated in 1980. The estimate for Occupation Tax revenue has been increased by \$100,000. This assumes either 10,000 new employees in Pittsburgh or Council has misread the history of the revenue which had an unusually high collection in 1978 due to a double payment by the City of its own occupation tax.

The Amusement Tax Revenues, current year, were projected by the Treasurer at \$3,240,000 on an assumption that normal attendance and price increases would prevail. As much as we hope and believe in the Pirates and Steelers abilities, one should not balance a budget on those expectations. The Treasurer did not assume, as Council apparently did, a complete repetition of all the playoff, world series or football championships we enjoyed this year. Despite all of these facts Council increased revenue estimates for the amusement tax by \$160,000.

Finally, Council has added \$1.3 million in the "Due From Capital Project Revenue" based on information received that this would be the size of the reimbursements received in 1979. While it is technically correct that the bond fund owes the general fund \$1.3 million, balancing budgets with this type of transaction which cannot repeat itself places the city in an automatic hole for the following year. Further, the outstanding loan should be repaid from the proceeds of the next city bond sale inasmuch as the loan was made to pay off bond anticipation notes.

In light of the above I have instructed the fiscal staff to monitor, on a monthly basis, the actual receipts against actual expenses. Adjustments in spending authorizations provided will be made as revenues are deposited in the bank. While this may result in surplus appropriations in various accounts, the city cannot spend money it does not receive nor will I permit it to do so.

In the end it is clear that the regional responsibilities of Pittsburgh can no longer be met on the type of tax base now provided. I have recommended that as additional revenue is needed we not place the burden on our senior citizens or those on fixed incomes but focus instead on taxes which are at least partly progressive in nature and spread the burden to our regional users as much as we are legally permitted. I continue to support

this concept and urge City Council to enact a tax program more in keeping with this philosophy.

Very truly yours,

Richard S. Caliguiri

Which was read, received and filed.

Also,

Bill No. 4275

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article XI, Property Taxes, Chapter 263, Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by enacting the annual levy on real estate and establishing rates of tax for lands and buildings."

Which was read.

Mr. Stone moved to override the Mayor's veto.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the veto?

And on the quesiton, "Shall the veto be overridden?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Bulls	Mrs. Masloff
Mr. Coyne	Mr. Robinson
Mr. Givens	Mr. Stone
Mr. Lally	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 6 Noes 2

(MR. LALLY AND MRS. MASLOFF VOTING NO)

Abstaining 1 (MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the veto was overridden.

Mr. Stone:

If I may, Mr. President, I would just like to make a couple of comments at this time.

This budget, in its deliberations, this Council did not take lightly, did not take lightly its responsibility to review the budget. We cut appropriations by \$1 Million and as I said the other day, without cutting out any services or programs. We estimated revenue and some people think we shouldn't have done that, but my question is, aren't revenues in '79 and '80 part of the budget of 1980? Any fiscally responsible person would obviously say yes. Whose estimates are the best estimates? We need not answer that other than to say look at the record.

This Council raised the revenue estimates in 1979. In 1979 we cut nearly \$6 Million out of the Mayor's proposed deficit. Already this year, in 1979 we are going to have somewhere between \$5 Million and \$6 Million of surplus by everyone's estimate. So, in effect, there has been \$11 Million to \$12 Million additional which the Mayor had requested.

In 1980, yes we did. We re-estimated the revenues higher, 1980 will bear out whether Council was correct or not.

The Mayor says let the wage earner pay. We say, why not the non-City resident land owner? The City wage earner already is paying more than those wage earners in surrounding communities. The reward for the City wage earner by the Mayor's standards is to give him more wage tax. But to give him more, he will leave our City. If the wage earner is not important to the City of Pittsburgh, why is the City spending millions of dollars to attract the middle income wage earner to the City, or back to the City, or encouraging him to stay within the City? The Mayor's additional wage tax increase therefore, is in direct contradiction to his own City programs. If the City of Pittsburgh goes into the eighties with less wage earners and more elderly or more people less able to financially carry their load, then who in the eighties will carry the City's burden.

We are being called upon to make the most fiscally responsible decision in this decade. We must and we did not I hope, fum-

ble the ball, or we would have been a City of chumps and not a City of champions. But, who is more able to pay than the commercial landowners, many of whom are non-City residents. We in consideration of their plight, did not raise their Business Privilege Tax, their Amusement Tax, nor even their Water Tax. Remember, they pay 80% of that tax. The single family residents pay only 20% of the tax. How much, then, does the elderly, poor pay of that 20%, maximum? How many of the 20% are elderly? How many of the 20% that are elderly are poor? Also, if they really, in fact, are poor, they are in the poorer homes with the smaller assessments and obviously the least tax, if there be a tax.

It would be fruitless at this time to engage in a game of mental gymnastics over figures, other than to say, that the Mayor chose figures which were inflated and I personally do not believe it is fair to the elderly in this City, in an effort to try to engage in mental gymnastics with this Council to scare the living heck out of our elderly.

For the first time, the Mayor does concede that there is a real estate abatement program for those earning under \$9,000 who can get rebates of up to \$400 per year. In addition there is an additional \$15 to \$95 for utility cost rebates.

The Mayor has advised all of us that we should follow the expert Dave Donahoe, our Treasurer. But you know, a closer look at the revenues projected by the Treasurer and by this Council can show this—that even the figures of our Treasurer, who tends to be conservative, and these Council figures are really close, in short, they are in range. Therein however, is not the problem. We might suggest to the Mayor that rather than to have quoted the City Treasurer, his Administration would have been better off and so would the City of Pittsburgh, if he had relied more on the City Treasurer David Donahoe, instead of relying on Ken Fields. If the Mayor had relied on the City Treasurer, and used his obvious talents, his obvious ability and his obvious credibility, not only the Mayor, but this City would have been better off. Instead, the City of Pittsburgh will now lose probably the best fiscal expert and credible fiscal expert this City has had in a long time. David Donahoe is a rare talent.

This Council, more than even the Administration, recognized that from day one.

In conclusion, this Council did not take lightly its responsibility when it reduced the Mayor's deficit from \$19.6 Million to \$10 Million. We believe that is acting responsibly. We weighed all of the taxes. The Land Tax and the Wage Tax. I believe that this Council has exercised a fiscal, responsible decision and I commend all of the councilmembers for their participation.

Michelle Madoff:

I think it is important to one more reiterate that while the Mayor came in with an inflated budget of \$20 Million, which I believe is unconscionable, obviously it was done because it is before an election year. I think it would be unfair for all of us, including myself, to say that we would not admit that we did not meet our fair share of responsibility. If indeed the figures work out and I have every reason to have confidence that they will at the end of 1980, that you have cut enough but you have left some kind of a cushion. Certainly if Council had started in February and March of '79 and I hope that we will in '80, to look at alternative sources of raising revenue, there is no doubt in anybody's mind at this table, that we could have cut the budget any further, and that is why I am abstaining.

Mr. Lally:

Mr. President, fellow members of Council—I have just voted my last vote as a member of Pittsburgh City Council and I would like to take this opportunity to thank Mr. Perry, Bill McCray and their staff for all the hard work and services during my four years on City Council. For my colleagues on Council I hope that 1980 brings renewed concern for the City of Pittsburgh, its people and its needs, and hope that they can work together to make our City a better place in which to live, work and play. Thank you so much, it was certainly a pleasure serving on City Council.

The Chair:

Likewise Jim, thank you.

Mr. Bulls:

Mr. President, as fate would have it, I am going to travel the same road that Jim Lally is going to travel and I would like to thank everyone for the many wonderful things that you have given me along the way. I would like to say to the media that they were extremely fair with me and I am thankful for that. To my colleagues, Mr. Perry and all the wonderful people here, I would like to say thank you.

When I was sworn in I closed my speech with the same phrase as I will this time and that is God bless America. Thank you.

The Chair:

Thank you Jim. I think I speak the sentiments of the entire Council when I say it has been a pleasure and a joy serving with both of you and it is a sad and tragic day to have you leave Council.

Mr. Bulls:

We just lost "Jeep", we didn't die.

The Chair:

Some people go on to better heights.

Mr. Coyne:

Mr. President, I would like to make a few remarks with regard to the parting of two of our colleagues, but especially Jim Bulls, who I think has exhibited rare courage and understanding and especially loyalty to the

City of Pittsburgh. Whether it be the time when he introduced legislation to improve the YMCA on the North Side, or to approve appropriations for the Perry Athletic Association on the North Side, or whether it was to finally oppose legislation that would have charged admission to the City swimming pools, it was this kind of foresight and understanding and most of all experience that Jim Bulls brought to Council, I am thankful for it, I am thankful for having known him because he is such a dedicated, understanding and loyal individual. I'm sure that the political life that he has lived for the last three years will continue for a long time in the City of Pittsburgh and I am better for having known him.

Mr. Givens:

Mr. President, I would like to also add my comments and the fact that I think every person that one comes to meet in his lifetime leaves some type of impression upon one's mind and one's soul. And both for Jimmy Bulls and Jimmy Lally, who many times used to kick me underneath the table there when I was going in the wrong direction or something, but, for these two people, they will be beholding in my heart and in my memories and that of my family and all of our fellow Democrats I think, for a long time to come, and as Jimmy Bulls has indicated, they are not dead, they are still alive and kicking and I hope to see them around again.

And on motion of Mr. Stone

Council adjourned.

